

ORIGINAL

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

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IN THE MATTER OF:

DOCKET NO: 50-400-OL  
50-401-OL

CAROLINA POWER & LIGHT COMPANY  
and NORTH CAROLINA EASTERN  
MUNICIPAL POWER AGENCY

(Shearon Harris Nuclear Power  
Plant, Units 1 and 2)

LOCATION: RALEIGH, NORTH CAROLINA

PAGES: 6828 - 7069

DATE: WEDNESDAY, NOVEMBER 14, 1984

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of: ,:  
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CAROLINA POWER & LIGHT COMPANY : Docket Nos. 50-400-OL  
and NORTH CAROLINA EASTERN : 50-401-OL  
MUNICIPAL POWER AGENCY :  
:  
(Shearon Harris Nuclear Power :  
Plant, Units 1 and 2) :  
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Bankruptcy Courtroom  
Fayetteville Mall  
Old Post Office Building  
Raleigh, North Carolina  
Wednesday, November 14, 1984

The above-entitled matter was resumed, pursuant  
to recess, at 9:19 am.

BEFORE:

JAMES L. KELLEY, ESQ., Chairman  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C., 20555

GLENN O. BRIGHT, Member.  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C., 20555

JAMES H. CARPENTER, Member  
Atomic Safety and Licensing Board  
U. S. Nuclear Regulatory Commission  
Washington, D. C., 20555

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Sim 1

C O N T E N T S

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>BOARD</u>
JAMES F. NEVILL )		6865	7049	7056	7027
ALEXANDER G. FULLER) (Further)		7944			
KUMAR V. HATE )					
- and - )					
DAVID R. TIMBERLAKE)					
CHARLES S. FRENCH		7065			

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P R O C E E D I N G S

1  
2 JUDGE KELLEY: We are on the record this morning.  
3 First, let me introduce two distinguished visitors from the  
4 Federal Emergency Management Agency, Mr. Steve Rochlis, at  
5 the counsel table, and Mr. Spence Perry, on the rail.

6 There are two or three things to take up this  
7 morning prior to resuming the cross-examination but we do  
8 want to spend time first on the question of scheduling for  
9 the emergency planning contentions. We initially had a  
10 motion from the Applicants moving for changes in the pre-  
11 viously established times. We deferred action on that pend-  
12 ing certain developments.

13 Now, we know that the parties and the FEMA repre-  
14 sentatives met last evening to discuss the scheduling ques-  
15 tions. This morning we have a document entitled "Applicants'  
16 Proposed Schedule" which lays out a pretty specific schedule  
17 setting forth at least the major milestones on the emergency  
18 planning litigation.

19 And the Applicants have taken quite a bit of  
20 initiative on this. I am going to ask Mr. Baxter, as an  
21 initial matter, to describe what got accomplished last night  
22 from your perspective and where you think things stand, and  
23 then the other parties can add to or modify or whatever they  
24 want to say on the same topics.

25 Do you want to go ahead, Mr. Baxter?

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MR. BAXTER: Thank you, Mr. Chairman. Last night, the parties in attendance were Dr. Wilson and Mr. Eddleman, representing themselves; Mr. Reid on behalf of Change; Mr. Runkle, on behalf of CCNG; and, the representatives here today of the NRC Staff, FEMA, and Applicants. So, everyone was there.

And we discussed the --

JUDGE KELLEY: I saw Mr. Reid earlier but I don't see him now.

MR. BAXTER: The other parties will not -- I'm not sure they are going to be here, because this schedule represents the agreement that was reached last night --

JUDGE KELLEY: Go ahead.

MR. BAXTER: -- unanimously by all the parties. And it has been typed up overnight, and I hope it accurately reflects -- I think it does -- what we agreed to last night.

Essentially, the major elements are that there is an extension of filing deadline for motions for summary disposition. And along with that, since there is more room in the schedule, we have agreed to additional time for the Staff and the Intervenors to respond to motions over what has been the practice on safety and environmental contentions and what is currently the practice on emergency planning contentions.

And this schedule reflects the fact that the emergency planning exercise has been moved from December 1984

#1-3-SueT

1 to May 17 and 18, 1985. The parties agree that it was de-  
2 sirable to have the hearing take place after that exercise.  
3 And while we don't think there is any reason why that exercise  
4 would be delayed, this schedule contemplates that if it is  
5 delayed the filing of testimony and the hearing would be de-  
6 layed by a similar period of time.

7 The June 18th, 1985 date --

8 JUDGE KELLEY: On that point about the exercise,  
9 if I can just interject -- maybe the Staff would be better  
10 to ask, but I will put it to you anyway, the litigation over  
11 whether the exercise has to be factored in, where does that  
12 stand at this point?

13 MR. BAXTER: The utilities have filed a petition  
14 for cert with the Supreme Court around the 1st of November.  
15 And that's --

16 JUDGE KELLEY: It's a precedent sitting there.  
17 It doesn't bind anybody but the parties. Of course, the NRC  
18 was a party.

19 MR. BAXTER: We have some reason to think that the  
20 Court of Appeals decision is stayed. I'm not absolutely  
21 certain of that. But --

22 JUDGE KELLEY: Your schedule here tries to work  
23 the exercise into litigation anyway, right? The way it's  
24 set up now.

25 MR. BAXTER: It certainly makes it feasible for the



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1 FEMA witnesses to be able to incorporate into their testimony,  
2 which is filed after the exercise, whatever they have learned  
3 as a result of that; and, therefore, the parties will have  
4 access --

5 JUDGE KELLEY: And the parties, too. Okay. So,  
6 it's really not an issue at this point.

7 MR. BAXTER: I don't think it should be. If there  
8 are additional contentions Intervenors want to propose, we  
9 will be operating under whatever the ground rules are --

10 JUDGE KELLEY: Yes.

11 MR. BAXTER: -- at that point.

12 JUDGE KELLEY: Right.

13 MR. BAXTER: I would like to mention that the  
14 June 18 date was selected because the FEMA personnel and  
15 the Region have conflicts with other drills beginning July 10;  
16 and, therefore, it is the parties' hope that we will be able  
17 to complete the hearing in that time period.

18 And, therefore, I think we would also urge the  
19 Board to schedule as many hearing days between June 18 and  
20 July 10 as the Board could support.

21 And I think that's it. I don't expect Dr. Wilson  
22 or the others to be here today, because this represents the  
23 stipulation of the parties. And if the Board concurs in the  
24 schedule, I would ask that the Reporter incorporate it into  
25 the record.

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1 JUDGE KELLEY: Let me just -- Mr. Eddleman, does  
2 this represent your stipulation, too, I take it?

3 MR. EDDLEMAN: Yes. I would like to just comment  
4 a little bit on the scheduling of the exercise.

5 JUDGE KELLEY: Sure.

6 MR. EDDLEMAN: In our discussions, I and some of  
7 the other Intervenors were concerned that we be able to have  
8 the results of this exercise that FEMA reports on in as  
9 expedited a manner as possible. And informally, as I under-  
10 stand it, the FEMA people will try to get that out as fast as  
11 they practically can, but there is no way that they can promise  
12 a certain date on it.

13 The moving of the hearing, if the exercise moves,  
14 is basically designed to make sure that the exercise takes  
15 place in advance of filing testimony and in advance of the  
16 hearing.

17 I'm just looking this over. I think it does cover  
18 the agreement as we worked it out.

19 JUDGE KELLEY: Do you want to take a minute? It's  
20 important that we all understand it.

21 MR. EDDLEMAN: Yes.

22 (Pause.)

23 Yes, the substance of this reflects the agreements  
24 that were reached as best as I know. And the only other thing  
25 I would point out is this little December 24th through

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1 January 2nd item on the responses to motions. That's sort of  
2 our holiday protection act.

3 JUDGE KELLEY: Right.

4 (Laughter.)

5 MR. EDDLEMAN: And if that extension extends a  
6 Staff deadline it would not automatically extend an Intervenor  
7 response deadline falling outside that. So, I just want to  
8 note at this time that if that happens, if the Staff deadline  
9 gets extended to where I would only have two or three days or  
10 four or five days to respond to it and not have it in hand, I  
11 may have to seek relief on that.

12 But it would only be a few days.

13 JUDGE KELLEY: Okay. Understood. Perhaps you were  
14 going to comment on this anyway, but I wanted to ask about  
15 the FEMA -- well, there will be FEMA testimony in advance, as  
16 I understand it.

17 Are there going to be FEMA interim filings? And,  
18 if so, when? And do you want to speak to those kinds of things  
19 or can you at this point, Mr. Rochlis?

20 MR. ROCHLIS: There is some kind of gap as far as  
21 the time frame is concerned, as to how fast we can get findings  
22 out after the exercise. I think it would be anywhere from  
23 three to five weeks, and that might cause a little bit of a  
24 problem.

25 MR. BAXTER: Are you talking about the plan review

#1-7-SueT

1 or the exercise?

2 JUDGE KELLEY: Well, let's take it one at a time.  
3 One of the things that is not in here is anything that says  
4 FEMA is going to do anything, and we assume -- I know you  
5 have been factored into this, but it would be good to have  
6 an idea, if not a date, in the schedule on what's going to  
7 happen and when.

8 We have talked about this before in prior pre-  
9 hearings but now that we are coming up closer to the real  
10 time, are there going to be FEMA findings as distinguished  
11 from -- on the exercise, as distinguished from the plan re-  
12 view?

13 Let's take the plan review first of all. Are  
14 there going to be findings in the plan review?

15 MR. ROCHLIS: There will be interim findings.

16 JUDGE KELLEY: On the plan review? Okay. And I  
17 think we all understand the kind of document that is.

18 Approximately when would that be available?

19 MR. ROCHLIS: I will get back to you on that. I  
20 don't have a specific date at this time. I will have to talk  
21 to the program people today when I get back.

22 JUDGE KELLEY: Okay. Then, separate and distinct  
23 from the findings -- correct me if I'm wrong -- there would  
24 be a witness coming to the hearing who would testify and  
25 file prepared testimony, correct?

#1-8-SueT

1 MR. ROCHLIS: That's correct. At this time, we  
2 are planning a panel of witnesses to address the issues.

3 JUDGE KELLEY: Okay. Now, we do have a day here,  
4 June 3rd, filing direct testimony. Is it contemplated that  
5 that's FEMA's filing date, too?

6 MR. ROCHLIS: That's correct.

7 JUDGE KELLEY: Okay. That's of the testimony?

8 MR. ROCHLIS: That's correct.

9 JUDGE KELLEY: But you will get back on the ques-  
10 tion of when we would get plan review findings. But they  
11 would substantially antedate the testimony at least?

12 MR. ROCHLIS: They should.

13 JUDGE KELLEY: Some time in the Spring would be the  
14 date for that. So, would there be three different FEMA docu-  
15 ments? Interim findings on the plan, testimony on June 3,  
16 and then findings on the exercise as well? That's a separate  
17 document?

18 MR. ROCHLIS: Either findings or interim findings  
19 on the exercise.

20 JUDGE KELLEY: Okay. But the exercise coming in mid-  
21 May, it would quite possibly be -- if that takes five or six  
22 weeks, that could be right up on the hearing date; is that  
23 right?

24 MR. ROCHLIS: That might be the crunch. Hopefully,  
25 we will be able to get those out before the hearing date.

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1 JUDGE KELLEY: I realize you can't set all these  
2 things in stone at this time because you are working with a  
3 lot of other people, among other reasons, but we do want to  
4 get I think as good an idea as we can as to how this would  
5 work.

6 Then, would those three documents comprise the  
7 FEMA written filings as you envision it now?

8 MR. ROCHLIS: That's correct.

9 JUDGE KELLEY: Okay. Excuse us just a minute.

10 (The Board members are conferring.)

11 This schedule seems reasonable to the Board. I  
12 would make a couple of observations, maybe just one. We  
13 agree with the hope expressed in the last sentence about the  
14 Board being able to rule on summary disposition motions as  
15 they become ripe for decision if they are filed in advance  
16 of the deadline, and just more generally getting rulings out  
17 on such motions as soon as we can.

18 What we may very well do as we get into the case  
19 of several -- I think two or three anyway -- safety contentions,  
20 we may just announce the results and then the reasons for the  
21 result would come at some later point. Now, the virtues in  
22 that are obvious. The parties will know what's in and what's  
23 out and can go ahead and plan accordingly.

24 We frankly don't see any real disadvantage in that  
25 approach.

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1 JUDGE KELLEY: I can't see that anybody is really  
2 prejudiced by deferring the announcement of reasons. Is  
3 there something we are missing here? Is that approach  
4 okay with you, Mr. Eddleman.

5 MR. EDDLEMAN: Well, I think in principle it  
6 is okay. The only thing you lose by lack of reasons is  
7 if you want a motion to reconsider right fast, and I haven't  
8 often been able to do that, or had reason to, I guess.

9 JUDGE KELLEY: Mr. Barth, any problem with that?

10 MR. BARTH: No, Your Honor.

11 JUDGE KELLEY: You know, thumbs up or thumps  
12 down, because the parties want to know, and we haven't  
13 had time to write up all the reasons. We may do that.  
14 Mr. Baxter?

15 MR. BAXTER: That approach is fine with us. We  
16 prefer to get the news as soon as we can.

17 JUDGE KELLEY: That is what we thought. Well, it  
18 is proposed then, and we understand endorsed by all that  
19 this Applicants proposed schedule, dated November 14, 1984,  
20 -- you propose putting it in the transcript, Mr. Baxter?

21 MR. BAXTER: Yes, sir.

22 JUDGE KELLEY: As written, with the approval and  
23 knowledge of all parties and the approval of the Board.  
24 So ordered.

(Document follows)

November 14, 1984

Applicants' Proposed Schedule

January 14, 1985:	Last day for filing motions for summary disposition.
February 13, 1985:	Last day for Staff to answer summary disposition motions filed on January 14, 1985.
February 25, 1985:	Last day for Intervenors to answer summary disposition motions filed on January 14, 1985.
March 29, 1985:	ASLB ruling on summary disposition motions filed on January 14, 1985.
May 17-18, 1985:	Emergency planning exercise. If the exercise date is extended, dates for filing testimony and commencement of hearing to be extended by a proportionate time period.
June 3, 1985:	Filing of written direct testimony and exhibits to be offered as evidence. Testimony and exhibits filed on June 3 to be served by expedited service.
June 18, 1985:	Commencement of evidentiary hearing.

Where a summary disposition motion is filed in advance of the "last day" set in the schedule, the response times from service of the motion are 25 days for the Staff and 35 for intervenors. Any responses to motions that would otherwise be due between December 24, 1984 and January 2, 1985, inclusive, will be due on January 4, 1985. In addition, it is Applicants' hope that the Board would be able to rule on summary disposition motions as they become ripe for decision if they are filed in advance of the deadline.



1 MR. EDDLEMAN: I think there was one other item  
2 that didn't actually make it in here. We had sort of an  
3 informal --

4 JUDGE KELLEY: Try the other mike.

5 MR. EDDLEMAN: Okay. There was another item  
6 about this that was an understanding of all the parties,  
7 I think, and I just wanted to mention it here, and that was  
8 that barring an Act of God or Acts of God that prevent  
9 filing by the the 14th of January that all parties would  
10 adhere to the date of January 14th for filing motions for  
11 summary disposition.

12 JUDGE KELLEY: Okay. He has shown very little  
13 interest in this case so far, so that will probably hold.

14 MR. EDDLEMAN: At least with a signature on a  
15 document, that is true.

16 JUDGE KELLEY: Anything else? Okay. The  
17 other parties already have this, right? There is no need  
18 to serve, is that correct?

19 MR. BAXTER: No, we will send it to the other  
20 parties. We had a draft -- typed draft that we discussed,  
21 but then we agreed to changes, and we typed this overnight.

22 JUDGE KELLEY: Could you simply recite in your  
23 cover letter that was discussed and approved, and the Board  
24 is not going to put out a separate order. It will just be  
25 there.

1 MR. BAXTER: Certainly.

2 JUDGE KELLEY: Thank you. We have a couple or  
3 three other things, I guess. Mrs. Moore?

4 MRS. MOORE: Yes. I would like to just make one  
5 request, and that is that the service list be amended to  
6 include Mr. Rochlis specifically on that list. It  
7 facilitates getting documents to Atlanta.

8 JUDGE KELLEY: Fine. So ordered. I know Mr.  
9 O'Neill had some information for us this morning on the  
10 subject of diesel generators. Should we turn to that  
11 next? I believe he mentioned it to the parties.

12 MR. O'NEILL: Mr. Chairman, what I would like to  
13 do this morning is to address a -- two proposed contentions  
14 which are outstanding, in that they are deferred, and  
15 update and provide to the Board and the parties updated  
16 information on the status of the Applicants' program on  
17 the TDI diesel inspection, and to make a motion as to how  
18 Applicants' would propose that the Board deal with these  
19 deferred contentions.

20 On March 8, 1984, in a conference call, the Board  
21 deferred ruling on two proposed contentions, Eddleman 178  
22 and 179. These two contentions were filed on January 17,  
23 1984 with other contentions that were based on information,  
24 or lack of information, in the SER. Both of the contentions  
25 cited as its -- as their basis, a pattern of QA failures

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1 at TDI manufacturing facility, and argued -- alleged first  
2 that the SER failed to deal with this, and then secondly,  
3 that Applicants had failed to deal with these alleged  
4 deficiencies.

5 The Board in its conference call ruling, the  
6 ruling deferring any consideration, noted that these were  
7 generic contentions. That the Staff had an on-going program,  
8 and the Board noted its intention of reviewing the  
9 contentions again as more light was shed on the subject.

10 And emphasizing the generic nature of these  
11 contentions, Mr. Eddleman's pleading in response to the  
12 Staff response to his contentions indicated that these  
13 were V-20 engines, and indeed they are V-16 engines, so  
14 that he really was not putting forth any specific information  
15 about the Harris plant diesels.

16 On July 31st, the Applicants, in a letter at the  
17 Board's request, submitted information on the TDI generators  
18 owner group program plan, and the status of the Applicants  
19 program to deal with the identified deficiencies in the TDI  
20 QA of their diesel generators.

21 On August 21, 1984, Staff counsel filed with the  
22 Board and the parties copies of the Staff's SER on the  
23 program plan. The Staff found that the steam -- the diesel  
24 generator owners group program plan incorporated the  
25 essential elements needed to resolve all outstanding

1 concerns relating to the reliability of the TDI diesel  
2 generators for nuclear service, and to ensure that  
3 the TDI diesel engines comply with general design criteria  
4 1 and 17.

5 Furthermore, the Staff established an interim  
6 basis for licensing plants prior to completion of all phases  
7 of the program plan, and indeed, 3 V-16 diesel generator  
8 plants have undergone operating licensing considerations  
9 already, including Grand Gulf, Commanche Peak, and Catawba.

10 The owners group program plan has three phases,  
11 and in our letter of July 31, we reported on the Applicants  
12 efforts on all three phases and I would like to update that  
13 information now.

14 Phase I was resolution of 16 generic problems.  
15 Phase I reports at that time had been provided to the NRC  
16 on all 16 of the problems, and indeed, there have been  
17 a number of supplemental reports. I have provided today  
18 to Mr. Eddleman, a copy of all of the Phase I reports  
19 submitted by the owners group to the Staff that deal with  
20 the V-16 engines. This does not, by the way, include all  
21 of the owners group Phase I reports, but just those that  
22 are relevant to V-16 engines.

23 There may be one or two additional supplemental  
24 reports, and if there are, I will provide them to Mr.  
25 Eddleman in the way of informal discovery.

1 The Phase II --

2 JUDGE KELLEY: V-16, by the way, is a V-shaped  
3 block with 8 cylinders on each side, is that what that  
4 means?

5 MR. O'NEILL: I will admit that I have not reviewed  
6 in detail the engines. That is my general understanding,  
7 but I don't know if that is the distinguishing characteristic  
8 between V, 16-V, 12, and V-20. That is my guess.

9 JUDGE KELLEY: Okay.

10 MR. O'NEILL: Our diesel generator expert isn't  
11 here today, and I can't turn to him immediately. Probably  
12 like a V-8, though.

13 Phase II of this program plan is a design review  
14 quality revalidation program. This involves a very detailed  
15 inspection of the engines, and report on that inspection,  
16 a testing program, and a status of what changes need to be  
17 made to the engines in the way of replacing parts or  
18 verification of maintenance.

19 I reported in July that this Phase II report from  
20 the owners group and the consultants to the Company would  
21 be due the end of October. That date has slipped by about  
22 a month. The Applicants will then review the Phase II  
23 draft report, and will clarify it, and will incorporate  
24 the results of their pre-operational inspection and submit  
25 it to the Staff probably at the beginning of next year.

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1 And that date has slipped about a month or so from our  
2 report in July.

3 The pre-operational inspection has been essentially  
4 completed. There are a few follow-up inspections that will  
5 be left. As far as the engines are concerned, they will be  
6 reassembled, tested, and after testing they will be  
7 partially disassembled again, and inspected again.

8 And all this will occur during the first and  
9 second quarters of 1985.

10 End 2.  
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Sim 3-1

1 I have been authorized by applicants to state  
2 that applicants will commit to meet each of the applicable  
3 requirements set forth in Section 4.6 of the Staff's owners  
4 group program plan SER.

5 This provides an interim basis for licensing and  
6 is the same plan that the other applicants are following in  
7 order to license their plants prior to the completion of all  
8 phases of the program plan.

9 Indeed, it may be possible for applicants to com-  
10 plete the entire program plan before they start up because  
11 of the slip in the schedule.

12 But by reviewing the Phase I documents that  
13 Mr. Eddleman has and the SER with this commitment to meet  
14 all of the requirements in the SER, Mr. Eddleman is now in  
15 a position to know essentially all of the details of applicants'  
16 program to ensure the reliability of the TDI diesel.

17 Furthermore, applicants continue to extend the  
18 offer that we previously made to Mr. Eddleman to discuss the  
19 results of inspections to date and the details of the program  
20 in an attempt to satisfy him that the program is adequate.

21 We have previously extended this offer to him  
22 and due to his schedule we have not yet actually had such  
23 a meeting, but we would be happy to do that.

24 In light of this information, applicants propose  
25 the following in the form of a motion as to how this Board

Sim 3-2

1 should deal with the deferred contentions. We believe that  
2 sufficient information is now available in order for the  
3 Board and for Mr. Eddleman to make some determination as to  
4 where we should go with the previously filed rather generalized  
5 generic contention.

6 We would move that Mr. Eddleman have 30 days  
7 from the date of the conclusion of this hearing within which  
8 to withdraw, amend or restate Contentions 178 and 179, and  
9 at that time also to make the required showing pursuant to  
10 10 CFR Section 2.714A.

11 In light of the information that is now available  
12 in the owners group program plan and the SER that demonstrates  
13 that there is a way of ensuring the reliability of the TDI  
14 diesels, even with the admitted problems with the QA at the  
15 manufacturing facility, we believe that Mr. Eddleman now has  
16 a burden to plead a contention that finds fault in that pro-  
17 gram and not just to generally state that there has been some  
18 problems with the QA of the diesel generators at the manu-  
19 facturing site.

20 This is a program that has had intense industry  
21 and NRC cooperative effort to try to resolve this program.  
22 Indeed, Mr. Denton and top NRC staff have had a considerable  
23 amount of involvement in ensuring that this identified  
24 problem did not adversely affect the reliability of nuclear  
25 plants.



Sim 3-3

1 This is a vast body of information already  
2 publicly available and Mr. Eddleman has indicated that he  
3 has been involved in obtaining information from the Public  
4 Documents Room with regard to this. But the amount of informa-  
5 tion, that is just simply a very, very small sampling of  
6 what is publicly available on these programs.

7 What we are suggesting is that Mr. Eddleman must  
8 now come forth with a contention that sets forth a thesis  
9 as to why this program plan will not satisfy all of the concerns  
10 that have previously been identified about TDI diesels rather  
11 than simply to allege that there has been a deficiency at  
12 TDI and we now have to come forward and demonstrate that our  
13 diesels will operate properly.

14 We believe that we have a program plan that in  
15 effect is there and we ought to litigate what is wrong with  
16 it rather than to put forward a case that shows the program  
17 plan and discusses it in some detail in a hearing.

18 I mentioned to Mr. Eddleman and to Staff counsel  
19 that I would make this motion. I have not previously asked  
20 for their consent, but that is our motion

21 JUDGE KELLEY: Okay. Just one question. We have  
22 heard the motion and I think we understand it. Do you know  
23 whether the Commission itself has in some fashion passed on  
24 the adequacy of any other set of V-16's? Where is Grand  
25 Gulf, what happened there?

Sim 3-4

1 MR. O'NEILL: I do know they have an operating  
2 license, full-power license, and I know that -- I am not  
3 sure exactly what status Comanche Peak is and you are certainly  
4 in a better position to say on Catawba, but the fact is that  
5 these issues have been raised in various ways before the  
6 Commission in three previous plants and they have been  
7 resolved in some cases in a proceeding and in other cases  
8 it became a contention and therefore wasn't specifically  
9 litigated. But I think that this is additional information  
10 that the Board should consider when it reviews any proposed  
11 contentions if Mr. Eddleman decides he wants to continue to  
12 pursue this.

13 JUDGE KELLEY: In connection with your motion,  
14 if we could just ask you could you briefly, and I don't mean  
15 in elaborate detail, but could you briefly supplement the  
16 motion by telling us the extent to which the Commission or  
17 the Appeal Board or other Boards have signed on the safety  
18 aspects of other V-16's, except Catawba. We know about that  
19 one.

20 MR. O'NEILL: I will be happy to.

21 JUDGE KELLEY: Maybe a letter to do a follow-up.

22 MR. O'NEILL: I will be happy to submit that in  
23 a filing as soon as possible.

24 JUDGE KELLEY: Thank you.

25 I think, Mr. Eddleman, it seems to us, given the

Sim 3-5

1 history of this, it is perfectly appropriate to hear a motion  
2 at this point, and we don't expect you to answer it at this  
3 point.

4 MR. EDDLEMAN: I would like to make some comments,  
5 whenever the appropriate time is, but I don't have a complete  
6 answer because obviously I have just received these documents.

7 JUDGE KELLEY: Right. You could, it seems to  
8 us, have the usual time. You could file a written response.  
9 You might want to comment in a day or two, and we can loan  
10 you a transcript and you can reread it, if you want to do  
11 that. What is your preference along that line?

12 MR. EDDLEMAN: Well, I think I would prefer to  
13 be able to look at a transcript and make a written response,  
14 what is it 10 days?

15 JUDGE KELLEY: Oh, why don't we just set a date.

16 (Pause.)

17 MR. EDDLEMAN: How about the 26th.

18 JUDGE KELLEY: That week of Monday?

19 MR. EDDLEMAN: Yes.

20 JUDGE KELLEY: The 26th a written response. The  
21 Board may have a couple of observations to make before we  
22 quit here I expect which will be just by way of guidance  
23 and so on, but reaction, if you will, but it is certainly  
24 not a ruling. And whatever we have got to say, we will say  
25 maybe Friday before we go. But we would then look for your

Sim 3-6

1 written response on the 26th.

2 Does the staff want to respond now orally or  
3 in writing? What is your preference? Ms. Moore.

4 MS. MOORE: The staff will also file a written  
5 response.

6 JUDGE KELLEY: You will file a written response.  
7 Do you want the same date?

8 MS. MOORE: Sure.

9 JUDGE KELLEY: Okay, fine.

10 Did we have other things before going back to  
11 Contention 41 this morning?

12 Oh, we did have just a word to say. We received  
13 yesterday, you will recall, the parties filed responses to  
14 the Chan VanVo. We have looked them over and that is really  
15 all we have done is looked them over and read them rather  
16 quickly. The immediate issue was do we want oral argument  
17 on those motions at this point, and the answer is no. The  
18 pleadings do raise some subtle points, and I will say things  
19 we may want to get into and ask some questions orally, but  
20 we don't really feel in a position to do that today. With  
21 further study we may satisfy ourselves that we don't need  
22 oral argument.

23 In any event, it is not fair to ask Mr. Eddleman  
24 who just received them to be able to respond in full. I think  
25 our bottom line is that we will not call for oral argument

Sim 3-7

1 on those contentions now.

2 It may be useful before we break up in the next  
3 day or two to set a time, at least a tentative time, to do  
4 a phone conference discussion of the motions. We won't try  
5 to do that right now, but the idea would be to just go ahead  
6 and pre-establish some time in a week or so to answer any  
7 of the questions that we have got and give Mr. Eddleman some  
8 more time to read the papers. Is that approach satisfactory?

9 We want to go ahead and rule on these contentions  
10 pretty quickly. On the other hand, time isn't of the essence  
11 between today and tomorrow and next week as we see it. So  
12 that is the approach we would rather take.

13 MR. EDDLEMAN: That is perfectly acceptable. Let  
14 me just note that Mr. Runkel I think has a conflict with the  
15 utilities commission hearings. I think that is where he is,  
16 but I will inform him of this. I think we would, I know  
17 I would like to be able to respond to this big stack of  
18 paper, but I haven't really been able to read it over yet.

19 JUDGE KELLEY: Well, let's just remember to raise  
20 it as a point to be resolved before we break up and we may  
21 set a time and everybody will know about it in advance.

22 MR. EDDLEMAN: Excuse me, Judge ---

23 JUDGE KELLEY: Yes.

24 MR. EDDLEMAN: --- I was just wondering, I had  
25 a couple of kind of off-the-cuff comments on Mr. O'Neill's

Sim 3-8

1 motion that I would like to make and I just wanted to know  
2 when it is appropriate to do that.

3 JUDGE KELLEY: Go ahead.

4 MR. EDDLEMAN: Okay. What I have been trying to  
5 get and have had some help from the folks with the Freedom  
6 of Information Act of the NRC and so on, is test results  
7 on the Harris TDI diesels. It seemed to me that if you are  
8 going to say well, there is something wrong with these diesels,  
9 the best thing to do would be to examine the results of a  
10 test and see what that is.

11 And, if I understand Mr. O'Neill correctly, they  
12 won't be completing those tests until sometime next year.  
13 On the other hand, the schedule has slipped. So that is my  
14 off-the-cuff reaction to it. I don't really know what is  
15 in this big stack about a foot high of documents that he has  
16 handed to me, but I will review them just as soon as I can  
17 and try to respond.

18 JUDGE KELLEY: Do you want to respond to that,  
19 Mr. O'Neill?

20 ME. O'NEILL: It is fair to say that the results  
21 of the tests will not be available, the actual operational  
22 tests until probably the second quarter of next year. There  
23 has been an inspection and those results will be available  
24 perhaps the first of the year.

25 But it would be our position that it is not

Sim 3-9

1 necessary to find out what the actual test results to determine  
2 whether or not there is a program to ensure the reliability  
3 of the diesel generators and, indeed, in all cases there  
4 hasn't been a complete testing program before some of the  
5 others have been licensed.

6 JUDGE KELLEY: Well, both sides are heard.

7 Anything else, Mr. Eddleman, at this point?

8 MR. EDDLEMAN: Nothing except when we got back  
9 to 41, I think I am supposed to supply some information.

10 JUDGE KELLEY: Okay. Is that everything between  
11 us and resuming No. 41?

12 MR. BARTH: I think so, Your Honor.

13 JUDGE KELLEY: Well, why don't we just take a  
14 short break and resume in 10 minutes.

15 (Recess.)

16 end Sim  
17 Joe fols

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#4-1-SueT1

(The hearing is resumed at 10:15 a.m. after a short recess.)

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JUDGE KELLEY: Okay. We are back on the record.

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We can pick up now with the cross-examination of the Applicants panel by Mr. Eddleman.

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And yesterday we asked for two things from Mr. Eddleman. One was an estimate of about how long you expected this cross would take on this particular panel; and, secondly, we wanted some reasonably specific indications of where Mr. Eddleman expected to be going with this panel. And so we will turn to him at this point.

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MR. EDDLEMAN: Okay. If I might just note, I remembered what Mr. O'Neill was saying about my pleading about the diesel generators and V-20s. That information that they were probably V-20s was supplied to me by someone on the Staff, whose name -- NRC Staff -- I have mercifully forgotten. But I believe they are V-16s.

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Let's see, as to timing I don't want to be too optimistic, but I was thinking that if we move reasonably expeditiously -- I've got the documents here indexed now, and they are labeled by numbers, all the documents have been distributed -- I'm thinking on the order of three hours real time more for this panel. So, that would be finishing some time early this afternoon with my part of it.

I also just kind of sketched out, I think it would



#4-2-SueT

1 be less than a day on all the subpoenaed witnesses together,  
2 and I think certainly less than half the day on the Staff  
3 panel. And if Mr. Maxwell is going to appear with them,  
4 then integrating them in, which would probably be half a day  
5 or less.

6 So, I'm even thinking that it's conceivable that  
7 we could finish this up on Thursday, although I don't want to  
8 commit to that.

9 JUDGE KELLEY: Okay. That sounds reasonable.

10 MR. EDDLEMAN: Okay. The request was basically  
11 to say what's the problem on 41. I would like to note that  
12 I still haven't been able to find my original notes on an  
13 annotated copy of the Applicants' testimony. I've done a  
14 hundred percent reinspection of the documents I've got, and  
15 I can't find it. I have no explanation for where it is.

16 But I did last night rework things and am prepared  
17 to go forward. The problem, as I see it here, is basically  
18 how do you interpret all of these problems that they've had,  
19 CP&L has had, at the Harris Plant with pipe hanger inspections,  
20 the repeated problems, extensive failures of QA, things that  
21 they found that they either blundered into or the Staff  
22 caught and basically pushed them to address, or the Staff's  
23 investigations led them to address.

24 The documents that I filed on the 9th and re-  
25 ferenced on the 9th, I think are also pretty basic to my case.

#4-3-SueT

1 They, and the answers I hope to elicit from them, are based  
2 on them from the panel. And the other witnesses I think help  
3 show that the pattern of extensive problems with the QA on  
4 the pipe hangers at Harris undermines confidence in the QA  
5 program.

6 I also think that there are things, problems that  
7 have not been fully addressed yet. There is a lot of inspection  
8 to go. I believe that the training has been inadequate, at  
9 least in results that they have had to retrain and retrain and  
10 retrain welders and inspectors and others.

11 I think there is laxity in the weld inspection  
12 criteria. I think the permanent waivers or field change re-  
13 quests, other things that are used to basically approve some-  
14 thing that doesn't conform to the design as set up, have not  
15 been adequately analyzed. I think there is a real question  
16 as to why with such pervasive problems there hasn't been  
17 more of a shake up in who is running the hanger inspection  
18 program.

19 I think there are questions about the degree of  
20 knowledge of the people who are running the program. I would  
21 also like to mention a few other things that I hope to get  
22 into in the cross.

23 Possible destruction of documents, having had to  
24 hve extensively revise basic procedures, not only once one  
25 problem was found but again and again and again. The allegations

#4-4-SueT 1 of harassment. I understand, by the way, that -- I don't  
2 know if there has been a Board notification on this, but I  
3 understand that the NRC Office of Investigation, OI, is now  
4 inquiring into harassment of people who have reported problems  
5 with pipe hangers on the Harris Plant, and questions about  
6 work outside of procedure. For example, in the recent INPO  
7 audit. And I think those things need to be examined.

8 Some of them, the information was not available,  
9 at least as far as I had public access to it until after  
10 August 9th. But I think I was asked what I think the pro-  
11 blems are now. And that's basically what I think that they  
12 are.

13 The contention is, as written, that CP&L's QA  
14 program fails to insure safety-related equipment is properly  
15 inspected. And, although the Board has limited that to look-  
16 ing at the pipe hangers, I think it has to be taken as an  
17 examination of at least that aspect of the Harris QA program  
18 and its adequacy over the years.

19 And I think the pattern is the key thing.

20 JUDGE KELLEY: Well, I think it's helpful to get  
21 a listing of some specifics. I guess we should just pick up  
22 and go. It strikes me like an awful lot to bite off in terms  
23 of topics and some potential for hitting a lot of things  
24 lightly and not enough to really get very far.

25 MR. EDDLEMAN: I think I have already done a good

#4-5-SueT

1 bit of this stuff.

2 JUDGE KELLEY: Okay. Go ahead.

3 MR. BAXTER: Might I comment, Mr. Chairman, on  
4 where we stand at this point?

5 JUDGE KELLEY: Yes.

6 MR. BAXTER: One of the problems with yesterday's  
7 examination, and we perhaps will be raising it again, the  
8 facts as to deficiencies uncovered, reinspections taking place,  
9 retraining taking place, are addressed in the testimony. That  
10 factual history is there.11 If all we are talking about is putting Mr.  
12 Eddleman's interpretation and conclusions on that versus  
13 ours, it seems to me it is almost something he can do in his  
14 proposed findings. And I would hope that we don't have to  
15 spend all of our time doubling up the record on other docu-  
16 ments that simply prove what we have already acknowledged in  
17 our testimony.18 That's just a comment. The latter part of his  
19 list still seems to me to be not a specification of things  
20 he can prove based on what he knows now, but still further  
21 exploration here in the hopes of uncovering something when  
22 he says -- he wants to know why there is not a shake up on  
23 people running the program, their degree of knowledge. He  
24 wants to explore destroying documents, harassments, work  
25 outside of procedures. I think we are still back to what had

#4-6-SueT 1 been bothering at least me, and I thought the Board also  
2 earlier, and that is fishing and exploring for theories here  
3 and not advancing ones that he thinks he can prove based on  
4 the documents he has got and the discovery that has taken  
5 place.

6 JUDGE KELLEY: I think what I was assuming when  
7 you listed some of the things you listed, my assumption was  
8 that you had in hand some evidence or solid indications that  
9 such and such was so, and that you would simply be looking  
10 into it here and not asking questions thinking that might pop  
11 up. That was my assumption.

12 MR. EDDLEMAN: Well, I have some information. The  
13 INPO audit, I believe I was first informed I think some time  
14 around September 14th, right at the end of the management --  
15 right after the end of the management hearing, I spoke to a  
16 person who informed me that this audit existed.

17 Very soon thereafter, a Freedom of Information Act  
18 request was filed with the NRC to try to obtain it. There  
19 hasn't been any response to that as far as I know yet. It's  
20 very difficult to get some of these things in a timely fashion.

21 JUDGE KELLEY: Let me ask if this is an INPO audit  
22 by an INPO team of inspectors?

23 MR. EDDLEMAN: As I understand it, that's right.

24 And I --

25 JUDGE KELLEY: Just on pipe hangers or on the whole

#4-7-SueT

1 thing?

2 MR. EDDLEMAN: I think it included more than pipe  
3 hangers. And I was informed, although I don't have any proof  
4 of this since I don't have any response from the NRC, that  
5 NRC inspectors were also involved. But I don't have available  
6 a report of an NRC inspection covering the same thing either.

7 The problem, as I see it, is if I know something  
8 that I think indicates a problem I have to at least try to  
9 pursue it insofar as I can. Most of these matters I think  
10 would be quite brief. And it just strikes me that if I have  
11 information concerning something I need to try to follow it up,  
12 that's the only way I can make a case through cross-examination.

13 As to what Mr. Baxter said about the admission in  
14 the testimony of certain problems, I think that the key thing  
15 is the interpretation of the problems. And some of these  
16 actual documents I think would shed a different light on them  
17 than the witnesses did. And I think that's part of cross-  
18 examination.

19 That's what I intend to do.

20 JUDGE KELLEY: Let me just make a comment on the  
21 INPO report you referred to. And this is the first I've heard  
22 of this INPO report, but I will just make an observation and  
23 try to keep it brief.

24 I am aware of the fact that INPO, the Institute for  
25 Nuclear Power Operations I believe it is, has been going around

1 the sites doing assessments of their QA programs with rather  
2 large teams of people. And they generate rather large reports  
3 citing various deficiencies and what's wrong with the plant,  
4 on what they thing ought to be improved at least. And this  
5 happened in a case I was involved in, Duke Power.

6 And they had an INPO report. It was an inch and  
7 a half thick. And it was turned over to the Intervenors in  
8 discovery, and then the Intervenors said: We want further  
9 discovery so we can really probe into the INPO report.

10 And that Board went to the extent of bringing in  
11 the INPO team, all of them, and holding a whole day hearing  
12 on the INPO report, and concluded that there was no basis  
13 for reopening discovery to get into the INPO report.

14 So, if we have nothing more here than some infor-  
15 mation that there is an INPO report that exists somewhere,  
16 I don't think we are in any kind of shape to get into it, if  
17 it's anything like the one I'm familiar with. Some sort of  
18 rather comprehensive review by an outside organization. We  
19 will probably find out here pretty soon just what it was.

20 But I just pass on my most recent experience in  
21 trying to put INPO reports into a QA contention. And that  
22 wasn't done anyway.

23 MR. BAXTER: Mr. Chairman, I hate to interrupt,  
24 but I've been advised by our QA personnel that the INPO  
25 inspection that we think Mr. Eddleman is referring to was in

#4-9-SueT

1 September and there is no report yet.

2 JUDGE KELLEY: Was this a team of INPO people?  
3 I'm asking the QA Manager or Director, and he's nodding that  
4 that's true. This is rather informal, to say the least, but  
5 we are just trying to get some information.

6 Are they to produce a report based on their visit  
7 to Shearon Harris; is that correct?

8 Could you give your name again, sir? I'm sorry.

9 MR. BANKS: Harold Banks.

10 JUDGE KELLEY: Mr. Banks. Mr. Banks is a previous  
11 witness in the case. And there was an INPO team here, you  
12 say?

13 MR. BANKS: Yes. We had an INPO team that did a  
14 complete site construction audit by them.

15 JUDGE KELLEY: An INPO audit of QA, essentially?

16 MR. BANKS: The complete site. It included QA,  
17 everything.

18 JUDGE KELLEY: Beyond QA?

19 MR. BANKS: It's an evaluation of the total con-  
20 struction project which includes the QA.

21 JUDGE KELLEY: Which includes pipe hangers?

22 MR. BANKS: That's correct. The final report has  
23 not been issued.

24 JUDGE KELLEY: Thank you. That's an example I  
25 think, Mr. Eddleman, of something that you can't get at in



#4-10-SueT

1 this hearing.

2 MR. EDDLEMAN: Well --

3 JUDGE KELLEY: Not this week.

4 MR. EDDLEMAN: Well, I was informed of some things  
5 about the results of the inspection that I may try to ask about.  
6 If there are objections, there are objections, you know. I  
7 will deal with it when it comes up.

8 JUDGE KELLEY: All right.

9 Whereupon,

10 JAMES F. NEVILL,

11 ALEXANDER G. FULLER,

12 KUMAR V. HATE

13 and

14 DAVID R. TIMBERLAKE

15 resumed the witness stand as witnesses called by and on behalf  
16 of the Applicants, Carolina Power and Light Company and  
17 North Carolina Eastern Municipal Power Agency, and having  
18 previously been duly sworn, were further examined and testified  
19 as follows:

20 CROSS EXAMINATION

INDEXXXXXXXXXX

21 BY MR. EDDLEMAN: (Continuing)

22 Q Gentlemen, if I could refer you to this selections  
23 from Notebook 5 that has been previously marked as Eddleman  
24 Exhibit 20.

25 Do you have that?

#4-11-SueT

1 A (Witness Hate) Yes.

2 (Witness Fuller) Yes, we are ready.

3 Q All right. I would like to refer you to about the  
4 middle of the document to some pages relating to hanger in  
5 Unit 1, RAB, elevation 236, component hanger CC-H-344, if  
6 you could locate those sheets, please.

7 A (The witnesses are going through documents.)

8 Q The hanger number is CCH-344. The sheets are in  
9 about the middle of this document. I believe it's like the  
10 ninth, tenth and eleventh pages down in the document.

11 JUDGE KELLEY: We have that.

12 MR. EDDLEMAN: I'm waiting on the Staff. I believe  
13 I handed the Staff an extra copy of this notebook yesterday.  
14 It had also been served on the 9th of August.

15 MR. BARTH: Is that the Exhibit 20?

16 MR. EDDLEMAN: Yes.

17 MR. BARTH: We were not served on the 9th of August  
18 with Number 20. No wonder we can't find it.

19 And this is the wrong one you gave us yesterday as  
20 Number 20.

21 JUDGE KELLEY: You may have this one.

22 MR. BARTH: Thank you kindly, Your Honor.

23 BY MR. EDDLEMAN: (Continuing)

24 Q Gentlemen of the panel, do you have those sheets?

25 A (Witness Fuller) Yes, sir.

#4-12-SueT 1

Q Okay. The first thing I would like to refer you  
2 to is what I believe is the last one relating to hanger CCH-344  
3 which is a QA-34 form of -- well, it's QA-34-725-79, Revision 1  
4 up on the top left.

5

Do you have that?

6

A (Witness Timberlake) Yes, we do.

7

Q Now, this is headed "Reinspection," is it not?

8

A (Witness Fuller) Yes.

9

Q Okay. And it shows acceptance with remarks of  
10 weld oversize, referencing FCR-286 and other pieces missing,  
11 correct?

12

A That's correct.

13

Q Okay. And the date there is January 20, '81?

14

A That's correct. Now, then if we go back to the  
15 page previous to that, the facing page in this front and back  
16 copy, this is a seismic weld data report, QA-34, Revision 3,  
17 correct?

18

A That's right.

19

MR. BARTH: Objection, Your Honor. This is what  
20 we have done time after time, is read this thing. This is  
21 in evidence already.

22

According to my notes -- the Applicant doesn't  
23 agree, but my recollection is that Number 20 has been taken  
24 into evidence. The document speaks for itself. Why read  
25 this thing?

#4-13-SueT 1

2 JUDGE KELLEY: I think the general point is that  
3 we are still trying to make sure we are on the right page.  
4 We need the identification.

5 MR. EDDLEMAN: That's what I'm trying to do.

6 MR. BARTH: Thank you. I withdraw the objection.

7 MR. EDDLEMAN: One thing, to clarify, I'm not  
8 certain this thing is in evidence but I think I should probably  
9 move it in at the end of this questioning.

10 JUDGE KELLEY: We are not certain about this, Mr.  
11 Eddleman. You are on Revision 3?

12 MR. EDDLEMAN: In other words, the one that I first  
13 referred to is a front page. And the one I'm now referring  
14 to is the back of the page facing it.

15 JUDGE KELLEY: Can you give a little more descrip-  
16 tive data so we will know what --

17 MR. EDDLEMAN: Okay. It's a seismic one weld  
18 data report. In the upper left, it says "QA-34, Revision 3."  
19 It's dated 4/27/81 by the discipline engineer up towards the  
20 top.

21 JUDGE KELLEY: Okay. I think we've got it.

22 MR. EDDLEMAN: Okay.

23 BY MR. EDDLEMAN: (Continuing)

24 Q Now, what I'm trying to figure out here, gentlemen,  
25 down in Block 4 there is a reference about four lines down  
from the top there, to twelve fillets, and it appears the

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1 number twelve was struck through.

2 Do you see that?

3 A (Witness Fuller) Yes, sir.

4 Q What do you interpret this to mean?

5 A It looks like it was a writing over another number  
6 when you should line through it and rewrite the number and  
7 initial it and date it, which I see that he has done.8 Q Okay. And that refers to repairs of a previous  
9 problem identified above.

10 A That's correct.

11 end #4  
12 Joe flws

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1           Q     Then if we could turn over to the previous page,  
2 the previous two pages, to pages facing I am talking about,  
3 and these are also QA 34 Revision 3's.

4                     Now, on this -- on these two sheets, there are  
5 a very large number of rejectable problems that are  
6 identified, are there not?

7           A     (Witness Fuller) That is correct.

8           Q     Okay. I represent that this Notebook 5, Eddleman  
9 Exhibit 20, is excerpts from discovery material of weld  
10 data reports supplied to me by CP&L, and that where a  
11 particular item, particular hanger is referenced in here,  
12 I have included all the sheets that relate to that hanger  
13 that were supplied, and I would move this into evidence.

14                   MR. BAXTER: Applicants object, Mr. Chairman.  
15 This brings to light the problem I alluded to on the last  
16 day of the management hearing, and again earlier in this  
17 hearing.

18                   These documents are ours. They are, therefore,  
19 not challenged for authenticity, but these weld data reports  
20 out of this particular snapshot of time, do not represent  
21 a complete story on the inspection of these pipe hanger  
22 welds.

23                   We have got simply excerpts and no way of telling  
24 from these documents what subsequently occurred with  
25 respect to the reinspection and approval of these hanger

1 welds. They are also subject to interpretation, which I  
2 don't think necessarily that the Board or Intervener  
3 counsel representative is -- should be doing on their  
4 own without the assistance of witnesses, and just dumping  
5 construction documents into the record I don't think is  
6 going to produce a reliable record.

7 We have them marked for identification, so that  
8 the Appeal Board or anybody reviewing this can understand  
9 the questioning that is just taking place of the witnesses.  
10 These will be in the file, but they should not be admitted  
11 as substantive evidence, because they are incomplete.

12 JUDGE KELLEY: Can we get it a little clearer  
13 for my benefit anyway, in what sense are these documents  
14 excerpts. Mr. Eddleman said that he had put together all  
15 the pieces of paper that related to a particular weld, as  
16 I understood him. They were given to him. In what sense  
17 are they incomplete. Let's speak about the one that is  
18 before us here.

19 MR. BAXTER: May I ask one of the witnesses to  
20 explain that to the Board. Mr. Fuller?

21 WITNESS FULLER: I don't believe that we ever  
22 portrayed that this was a complete historical sequence of  
23 events for any particular hanger, and as we have mentioned  
24 from the reinspections that we have gone through in 1980  
25 and 1982, there have been reinspections and WDRS generated,

1 some of which we have here, and we have also mentioned that  
2 under the enhanced program, that all of our hangers are  
3 included in that, being weld maps, so there are subsequent  
4 WDRs to the ones that we have here.

5 The fact that we have got hangers that appear  
6 to be accepted at one time and rejected, that very possibly  
7 could be the case. In reading through the document here  
8 to determine if we are even talking about the same joints,  
9 we don't even know. So, all we just got is incomplete  
10 history on that particular hanger to date.

11 JUDGE KELLEY: Could you tell us further just  
12 how this history came into being in the discovery process.  
13 It may well be there laid out, but just for our benefit  
14 here and now, why are we looking at these particular  
15 documents?

16 MR. BAXTER: Let me try first, and you can  
17 supplement, Mr. Fuller, because he was involved. We were  
18 asked an all-encompassing request for every record of every  
19 weld inspection on a seismic Category 1 pipe hanger.

20 JUDGE KELLEY: On one particular pipe?

21 MR. BAXTER: No, all of them.

22 JUDGE KELLEY: Every piece of paper you have ever  
23 had on every weld at Shearon Harris?

24 MR. BAXTER: Every seismic Category 1 pipe hanger  
25 weld. That is eighteen thousand pipe hangers. We objected



1 as burdensome, and we offered to produce what we had at  
2 that given point in time.

3 MR. EDDLEMAN: There were 36 numbered notebooks,  
4 one unnumbered notebook, and three additional notebooks.  
5 So they were all produced in a period around the summer  
6 of 1983.

7 JUDGE KELLEY: You asked for all the pipe hangers,  
8 and you got instead these 36 notebooks, plus what you just  
9 described, is that right?

10 MR. EDDLEMAN: That is essentially right. They  
11 were supposed to be complete documentation up to the point  
12 at which they were produced, or within a couple of months  
13 thereof. I asked about that in the discovery.

14 MR. BAXTER: Two things. We represented at the  
15 time that they weren't complete historically, because to  
16 research the history of every inspection on every hanger  
17 was a massive effort, because the documents weren't at  
18 that time organized that way.

19 We did say here is 36 notebooks of material we  
20 already have put together right now. They are not  
21 complete historically, but since we have got them  
22 together, you can look at these, and that is what was  
23 made available.

24 But, of course, there has been a lot of inspections  
25 since then.

1 JUDGE KELLEY: I it is important we get this  
2 as crystal clear as we can, even though maybe one could  
3 reconstruct it by reading all the discovery papers.

4 These 36 notebooks at that time, did that  
5 represent every piece of paper about seismic welds at  
6 Shearon Harris up to that point?

7 MR. BAXTER: No.

8 JUDGE KELLEY: What did it represent?

9 MR. BAXTER: Do you want to try, Mr. Fuller?

10 MR. FULLER: As I recall from the fellow that  
11 told me that had put it together, it was the last year or  
12 two they were trying to have an office copy of the records  
13 for easy format, and when they do an inspection their  
14 secretary would go out and xerox a copy of it and put it  
15 in the notebook. It was just an office copy.

16 JUDGE KELLEY: A piece of time, so to speak?

17 WITNESS FULLER: Basically.

18 JUDGE KELLEY: But is that all the documentation  
19 in the welding area for that period of time?

20 WITNESS FULLER: Not necessarily.

21 JUDGE KELLEY: Not necessarily. Well, what is  
22 not included?

23 WITNESS FULLER: Once again, you know, like I  
24 say, it is not a proceduralized thing. It is: Hey, let's  
25 keep a copy of what is going on here.

1           So, how diligent they were of keeping copies of  
2 everything, I don't know. Exactly what period of time  
3 they began, I don't exactly know that either.

4           JUDGE KELLEY: But the general idea was to make  
5 a copy.

6           WITNESS FULLER: Was to make a copy, right. And  
7 I think we acknowledged it was around 12,000 pages in  
8 interrogatory responses that we discussed with you we  
9 agreed that that was probably representative.

10          JUDGE KELLEY: Wait just a minute. Off the  
11 record.

12                           (Off the record discussion ensues)

13          JUDGE KELLEY: Back on the record. But these  
14 were the old data packages, so to speak, and they were  
15 supposed to be copies of everything in the package pertaining  
16 to a particular weld, and Mr. Hate is saying, no.

17          WITNESS HATE: No, Your Honor. Those were not  
18 weld data packages. They were singular sheets of paper  
19 that were xeroxed.

20               As we said in our testimony, when we went to the  
21 enhanced program, when we started putting all the pertinent  
22 documentation into packages, that was one of the improvements  
23 that went with the enhanced program.

24               So, these don't necessarily represent all the  
25 data that existed at a particular point. It was just a

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1 sample of data that was available.

2 JUDGE KELLEY: Because at that time you weren't  
3 making packages, is that right?

4 MR. FULLER: I think maybe this is getting more  
5 confused. What Mr. Hate is referring to, when we began  
6 with the enhanced program, the QC package of WDRs was no  
7 longer kept by QC. It was all integrated into one  
8 construction work package. When they were made, were back  
9 in the days of when there were the QC packages, there was  
10 information in our package that may have some relevance  
11 to this that was not included in here.

12 JUDGE KELLEY: These are just QC packages.

13 WITNESS FULLER: This is from the QC information.

14 JUDGE KELLEY: From the QC Department.

15 WITNESS FULLER: These are just WDRs.

16 MR. BAXTER: These are inspection documents,  
17 essentially. Not everything about a hanger.

18 MR. EDDLEMAN : The notebooks were generally  
19 labeled WDR Notebooks, weld data reports. And I think  
20 that is what these consist of, just the weld data reports  
21 that they had.

22 JUDGE KELLEY: The so-called travelers.

23 WITNESS HATE: We call them travelers also.

24 JUDGE KELLEY: That go along with th weld. The  
25 history of the weld.

1 WITNESS HATE: History of the weld, that is right.

2 JUDGE KELLEY: Okay. Now, Mr. Barth?

3 MR. BARTH: For the record, Your Honor, I would  
4 like to state that the Staff joins with the Applicants  
5 motion on the Applicants grounds, and we would like to  
6 state a further grounds.

7 If you will look at the documents to which Mr.  
8 Eddleman is referring, he is referring to welds in July  
9 of 1982. The Company then formed an enhanced program.  
10 They use those terms, which we refer to, in very late 1983.  
11 These welds and inspections took place before the program  
12 which is now in place.

13 The contention states that the Applicants QA/QC  
14 program fails to assure. These welds were not subject to  
15 inspection of the program which was under consideration  
16 of the contention, and they go way beyond the contention.  
17 They have no relevance to this contention whatsoever.

18 So, we put that as an additional ground, Your  
19 Honor.

20 JUDGE KELLEY: Are you arguing that anything  
21 prior to the most recent enhanced program is irrelevant?

22 MR. BARTH: No, Your Honor, we are not. There  
23 is no connection that these welds would not be picked up  
24 or fixed or detected if there is anything wrong with them  
25 under the new program. There is no connection between

1 the document which Mr. Eddleman wants, and the contention  
2 and the program now in place.

3 He has got to make that connection that these  
4 welds would show a defect in the present program. There  
5 is no connection whatsoever. This is merely a pile of  
6 data, as Mr. Baxter pointed out, from all the welds before  
7 the program which is now in place.

8 There is no connection made between these welds  
9 which are in the --

10 JUDGE KELLEY: What kind of a connection do you  
11 mean exactly?

12 MR. BARTH: That is what Mr. Eddleman must  
13 undertake, Your Honor. I am not here to try his case for  
14 him.

15 JUDGE KELLEY: But you are taking a position, it  
16 seems to me, that anything prior to December '83 is just  
17 not in the picture.

18 MR. BARTH: I have not done that, Your Honor.  
19 I said he has not shown the connection which would make  
20 this reliable probative evidence relating to the contention  
21 that the present program is defective in some way. This  
22 is merely a telephone book of weld histories.

23 JUDGE KELLEY: But it shows all kind of defects.  
24 Doesn't that have some bearing on the adequacy of the  
25 present program?

1 MR. BARTH: No. They were not inspected under  
2 the present program.

3 JUDGE KELLEY: Well, I still think you are saying  
4 that that -- you are saying in a practical matter, don't  
5 talk to me about anything prior to December of '83, that  
6 is what I hear.

7 MR. BARTH: That is maybe what you hear, Your  
8 Honor, but that is not what is being said.

9 JUDGE KELLEY: Okay.

10 MR. BAXTER: The point is, does the Board -- is  
11 this the way to accumulate reliable evidence on whether  
12 we have a good inspection program.

13 As we indicated, Mr. Eddleman had access to  
14 14,000 pages of these. This exhibit has -- I haven't  
15 counted them, maybe 40. Would it be useful if we put  
16 in the other 13,960. I don't think so. I am sure he  
17 has picked out some that have what he considers to be  
18 deficiencies.

19 JUDGE KELLEY: Sure. Are you saying, then,  
20 -- we are going on at some length, obviously, but here  
21 is Mr. Eddleman saying I have this weld data sheet that  
22 shows a weld that had all sorts of problems and a long  
23 history, and you kept fixing it, and fixing it, and fixing  
24 it, and it still wasn't right, and I want to put that in  
25 showing that there were problems with welding.

1                   Are you saying that data of this kind is just  
2                   out of the case entirely, that we just have a programmatic  
3                   discussion of the question.

4                   MR. BAXTER: No. I think if the witnesses are  
5                   going to be asked about the information, you have reliable  
6                   testimony coming from the witnesses.

7                   My concern is just dumping the paper into the  
8                   record without discussion and then everybody going home and  
9                   writing proposed findings on information that the Board  
10                  has no idea as to whether the interpretation being made  
11                  of the document is accurate, or whether you have got a  
12                  complete record.

13                  If I have to anticipate, if I have to review all  
14                  these documents tonight, and take a guess at what Mr.  
15                  Eddleman is going to argue from them, and come back and put  
16                  on rebuttal in response to every considerable argument that  
17                  he might make on these, it could take an extremely long  
18                  period of time to do that.

19                  That is not a threat. I just don't know how else  
20                  I am supposed to deal with this kind of material going into  
21                  the record without discussion.

22                  JUDGE KELLEY: Isn't it partly a function of how  
23                  much gets put in the record; whether it is the history of  
24                  one weld or five welds or fifty welds.

25                  MR. BAXTER: Certainly.



1 JUDGE KELLEY: Right now, you have offered  
2 exactly how much of this, Mr. Eddleman. Is this all  
3 of Notebook 05, or just -- which pages are you offering?

4 MR. EDDLEMAN: No, sir. This -- I don't remember  
5 how thick Notebook 5 was. Some of them were fairly thin.  
6 But this would not be more than about five percent of one  
7 of the thinnest notebooks. These are clearly --

8 JUDGE KELLEY: I guess what I was asking, could  
9 you tell me pages. What exactly is being offered now.  
10 Maybe you said this before, but would you please say it  
11 again.

12 MR. EDDLEMAN: Let me try to explain this as I  
13 understand it. When I got these things on discovery, they  
14 came with a cover letter to Steve Mountcastle, who was one  
15 of the people that I asked to voluntarily appear and whose  
16 address they sent back and said they couldn't forward.

17 Anyway, the letter said that these weld data  
18 reports were being assembled in connection with trying to  
19 find the problems with the pipe hangers at the Harris  
20 Plant.

21 Okay. And that I would get all these notebooks,  
22 and I would go through them and indicate which parts I  
23 wanted copied. They had not onlt xerox sheets in them,  
24 but also they had some pink sheets which actually came  
25 off a form which had, you know, several copies that it

1 made when the person wrote it out. And some of those were  
2 in there, and I was told that those were the most current  
3 ones, and they do cover a period of about two years.

4 And out of that, for this exhibit, which I did  
5 prefile the 9th of August, it was certainly noticed that  
6 I wanted to get it in the record by prefiling it, I selected  
7 some of them that I do think indicate problems, and they  
8 indicate basically we will find the problem, try to fix  
9 that, maybe the fix doesn't work, find more problems,  
10 find more problems, and so on, and that seems to me to be  
11 indicative of things that were going on in the program.

12 I don't represent that this represents all  
13 13,000 pages by a long shot, but it represents what  
14 happened with these specific welds that are dealt with  
15 in this exhibit.

16 JUDGE KELLEY: What I am trying to narrow this  
17 down to is what exactly am I talking about? Is this what  
18 has been offered, this twenty some pages, or is it the  
19 middle four pages or what, that is what I am unclear on.

20 MR. EDDLEMAN: Well, I am offering all 20 odd  
21 pages of this, I guess. I haven't counted the number of  
22 pages that are in it.

23 JUDGE KELLEY: Well, we should do that, for  
24 openers. You have to know. There are mountains of  
25 paper. What exactly are you talking about?

1 I have got 18 pages.

2 MR. EDDLEMAN: 18 pages, fronts and backs.

3 Approximately 35 sheets and the cover page, which is not  
4 a report.

5 JUDGE KELLEY: Now, how many welds do these  
6 18 pages, or 35 fronts and backs refer to? We have only  
7 talked so far about one.

8 MR. BAXTER: We talked about one hanger.

9 JUDGE KELLEY: One hanger, having many welds,  
10 I assume.

11 MR. EDDLEMAN: Right, and we talked about one  
12 yesterday, and again, the reason I didn't want to go through  
13 point by point, by point, by point, is that the thing does  
14 speak for itself. It says, you know, looked at this  
15 piece. This is the welder symbol, and here is what the  
16 problem is, or it says it was accepted, and it gives dates  
17 when all these things were done.

18 And we did also inquire about the other one,  
19 CCH 105 yesterday. I had some questions about that.  
20 But --

21 JUDGE KELLEY: I am not sure I agree with your  
22 point that it speaks for itself. I can look at this, and  
23 I am not sure what a lot of these things mean. On the  
24 one hand, I am just speaking for myself, and I haven't  
25 even conferred, and I am sympathetic with your wanting to

1 get in some exhibits of this general sort that show actual  
2 problems as opposed to sort of programmatic testimony.

3 On the other hand, Mr. Baxter makes the point  
4 of it we just dump in a lot of paper that hasn't been  
5 talked about that doesn't speak for itself, what are we  
6 going to do with it, and that is a problem that we have to  
7 some how balance out.

8 You talked about Number 344, right?

9 MR. EDDLEMAN: Right. CCH 344, and we also  
10 yesterday went through CCH 105, which is the one up toward  
11 the front of it.

12 JUDGE KELLEY: 105 and 344. May I ask a question  
13 of the witnesses. 105 and 344, if those are ways of  
14 referring accurately to particular hangers or welds,  
15 hangers?

16 WITNESS FULLER: Hangers.

17 JUDGE KELLEY: Okay. Now, are there subsequent  
18 histories of those particular hangers? I assume there  
19 are?

20 WITNESS FULLER: Yes, sir.

21 JUDGE KELLEY: If they are reinspected at some  
22 later date, there is another piece of paper that talks  
23 about the same weld, right?

24 WITNESS FULLER: Yes, sir.

25 JUDGE KELLEY: Okay. If we were to admit 105 and

1 344 from here, we might want to the other piece. You  
2 may not want to introduce it, Mr. Eddleman, but we may  
3 want it anyway.

4 MR. EDDLEMAN: Well, I haven't seen it.

5 JUDGE KELLEY: I know. It is just for the  
6 sake of completeness. What ever happened to 105, maybe  
7 we can find out.

8 So, there are subsequent histories. Well, we  
9 have a motion that this be admitted, and the motion is  
10 for the entire package. Do we need to hear anything else  
11 before we retire to rule on the matter.

12 MR. BARTH: Your Honor, I would like to make one  
13 last attempt. At the conclusion of yesterday's hearing,  
14 Your Honor, at transcript page 6827, you made a direction  
15 to Mr. Eddleman to make a proffer today, and you asked him  
16 to give a fairly explicit description of where you want to  
17 go, and what you think is wrong.

18 And from my point of view, Your Honor, to make  
19 the connection he must say that here is a bunch of weld  
20 data, and they show that something is wrong with the present  
21 program. They don't do this.

22 For our point, we will stipulate every inspection  
23 report, every defect in the world, but what is the connection  
24 to whow what is wrong. What is your -- ask Mr. Eddleman, if  
25 you accept this document, Your Honor, and free to examine

1 it, what is your conclusion going to be about the present  
2 program? What does it show that is wrong with it?

3 That is what is missing, in my view.

4 JUDGE KELLEY: Does the Staff say that everything  
5 that happened prior to December of '83 is irrelevant, and  
6 your answer is, no, right?

7 MR. BARTH: No, Your Honor.

8 JUDGE KELLEY: Your testimony goes on at great  
9 length about problems they had at Shearon Harris. That  
10 must have some significance to this case, and I just assume  
11 that Mr. Eddleman is pursuing the same point.

12 MR. BARTH: The significance, Your Honor, is that  
13 it stimulated Carolina Power and Light to enact a new  
14 program which they refer to as their enhancement program.

15 JUDGE KELLEY: I understand about that.  
16 Anything else, Mr. Baxter?

17 (Note: No response.)

18 JUDGE KELLEY: All right. Mr. Eddleman?

19 MR. EDDLEMAN: Let me respond briefly to that.  
20 I think that have had a number of new reinspection programs  
21 in the past, and this is one of the things that by these  
22 data, by their dates and all, relate to. I would also,  
23 if we are going to talk about chopping out just pieces of  
24 this as a possible alternative, I would like to bring out  
25 one other hanger at this point.

1 JUDGE KELLEY: Well, I think the Board ought to  
2 just make a ruling at this point on this where we think we  
3 ought to go, and then we rule in your favor, or partly in  
4 your favor, maybe then we can move on. We would like to  
5 just step out for a moment.

6 MR. BARTH: Could I ask your indulgence for one  
7 more thing. I do feel I have been ineffective, and this  
8 does effect my own peoples testimony. If I might ask for  
9 your indulgence for one more comment.

10 JUDGE KELLEY: Sure, go ahead.

11 MR. BARTH: You asked what kind of connection  
12 must he make, are they all bad. I think the connection  
13 from my point of view as a lawyer is that Mr. Eddleman has  
14 to show that the program that was intact, and against which  
15 these were inspected in 1982, has elements 1, 2, 3, 4, and  
16 those elements are in the present program, and that is why  
17 they were not picked up.

18 He must show that the inspection program which  
19 goofed on these welds, if I may use that term, would also  
20 goof on the welds under the present program, and therefore  
21 we have to discuss what kind of weld inspection programs  
22 were intact in July 1982, which are also intact today to  
23 show the similarity, and that we have never discussed  
24 these programs.

25 All we discussed is the bad weld. It picked up

1 bad welds.

2 We do not know what the criteria was by which that  
3 was picked up, which is similar to the present criteria, and  
4 therefore the present criteria we can assume is wrong or  
5 defective.

6 That is the kind of connection, in my mind as a  
7 lawyer, I feel should be made prior to discussing individual  
8 bad welds.

9 We do not know what kind of criteria in July 6,  
10 1982 was intact which is similar to the present one, if it  
11 was, which would then show a similarity in defect, or a  
12 continuity of defect, or a remedy. That is what I meant  
13 by, 'connection' Your Honor. Thank you for your indulgence.

14 JUDGE KELLEY: Thank you.

15 MR. EDDLEMEN: Judge, if I might briefly comment.  
16 I have asked a lot of questions about the criterion effect  
17 at various dates. Counsel is practically asking me to make  
18 my findings right now, which I can't do, but I think my  
19 position on this whole matter is on record.

20 End 5  
21 MS fols.

22

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Sim 6-1

1 JUDGE KELLEY: Okay. Let's take a short -- we  
2 are not going to take a break, but we are just going to  
3 retire a minute and talk about this.

4 (Brief recess.)

5 JUDGE KELLEY: Back on the record.

6 What number would this be, Mr. Eddleman?

7 MR. EDDLEMAN: This has been marked as No. 20.

8 JUDGE KELLEY: We have a pending motion to admit  
9 Eddleman Exhibit No. 20 into evidence which is an exhibit  
10 comprised of some 18 stapled pages printed on both sides,  
11 35 or so pages altogether, and that motion has been opposed  
12 by the applicants and by the NRC staff.

13 We won't restate all the arguments pro and con.  
14 We have considered all those arguments and we are going to  
15 grant the motion in part and we are going to sustain the  
16 objection in part.

17 By way of granting the motion, we are going to  
18 allow in documents concerning welds on which cross-examination  
19 directs the contention to a particular part.

20 By way of example, No. 344 I think was one of  
21 the numbers on three or four pieces of paper pertaining to  
22 No. 344. We would let in that paper pertaining to 344  
23 because it has been crossed on to some extent.

24 Now we would allow into evidence all of those  
25 documents, but it would be understood that the main purpose

Sim 6-2

1 of the admission would be focus on the matter that was  
2 brought out on cross and not some footnote on page 3 that  
3 nobody paid any attention to.

4 And, conversely, we are going to sustain the  
5 objection and exclude those portions of this numbered exhibit  
6 pertaining to welds on which no cross-examination has been  
7 had leaving open the possibility for perhaps another one  
8 or two. But consistent with the concept set forth, we are  
9 only going to put in the record documents that have been  
10 spoken to.

11 Beyond that -- the reasoning on this I think  
12 is fairly apparent from the arguments and we won't repeat  
13 that, but let me just state a few more corollaries of the  
14 point we are making.

15 In the first place, we believe that only a  
16 limited number of welds and documents relating thereto  
17 ought to be brought in on this basis. They are there we  
18 take it to show problems of inspection and reinspection in  
19 the past, and I think a few for that purpose would make the  
20 point in view of the fact that it is conceded by the appli-  
21 cants that there were problems of this nature.

22 If there is some particular document pertaining  
23 to some particular older weld that has some special claim  
24 to be in the record, we can consider that separately. But  
25 as a general matter, we think a limited number should suffice.

Sim 6-3

1                   Upon the admission of course the applicant would  
2 be able to do two things and/or the staff. There are, we  
3 are told, at least in some of these cases other papers bearing  
4 on particular welds. The subsequent history of these welds  
5 might include a reinspection that is not in this package.  
6 So the applicants would be in a position, if they chose, or  
7 the staff to show the whole picture by bringing in that  
8 related documentation.

9                   There will be an opportunity for the applicants  
10 to have redirect. Of course, the staff will have their  
11 opportunity for cross on this panel. The redirect or cross  
12 would be an opportunity to have further questioning from  
13 the perspective of the questioning party on the document.

14                   We also think it reasonable under these circum-  
15 stances if the applicants or staff wish to bring in additional  
16 information or questioning through rebuttal, then within  
17 reasonable time limits that is fair enough, too. After all,  
18 the exact welding materials to be brought forward were not  
19 known until this time and they can't be expected to put  
20 everything they have to say within an hour or two after they  
21 first hear about it.

22                   So we can preserve an opportunity for rebuttal  
23 on particular welds if that is desired. So that is our  
24 ruling.

25                   Mr. Eddleman, tell me again, it is weld No. 344?

Sim 6-4

1 MR. EDDLEMAN: CCH-344 and CCH-105 are the  
2 ones that we have had examination on.

3 (Eddleman Exhibit No. 20, previously  
4 marked for identification, was  
5 admitted into the record with  
6 directions from Judge Kelley as to  
7 specific parts being admitted.)

Index

XXXXXXXXXX

8 JUDGE KELLEY: And those comprise particular  
9 pages within this document, and if you could, at your  
10 convenience, give the reporter exactly what pages they are.  
11 I think the others of us can find it.

12 MR. EDDLEMAN: All right. May I ask a couple  
13 of clarifications. I didn't ask about the dates and certain  
14 things that these things show. I mean it shows dates when  
15 the inspections were done and dates when certain signatures  
16 were put on. I would like to be able to refer to them, you  
17 know, from them being in the record on the ones that are  
18 admitted.

19 JUDGE KELLEY: I said these forms weren't self-  
20 explanatory. Those particular things sound pretty close  
21 to it. You mean you want to ask some further questions now?

22 MR. EDDLEMAN: No. What I am saying is I would  
23 rather, rather than have to ask isn't this date so and so ---

24 JUDGE KELLEY: Okay. I misunderstood your  
25 question. I think that is fair enough. I mean why take the

Sim 6-5

1 time to do that. That is there and you can refer to that.  
2 Our main point is one of focus. If you have got several  
3 pages about a particular weld, then the question is why is  
4 this in, and it is in for particular reason one would assume,  
5 and there is a place on the form that shows it. But things  
6 like dates and other things to refer to for an orientation  
7 purpose, that is fine.

8 MR. EDDLEMAN: Okay. Also, I would have no  
9 objection whatsoever to bringing in, you know, the current  
10 and up-to-date weld data reports on any of these hangers.

11 The only thing I would ask is I think it would  
12 only be fair to bring in the entire history since it has  
13 been stated that none of these weld data reports were ever  
14 discarded. They are required to be retained. So if the  
15 history is not complete back to the beginning, and some of  
16 these start off with reinspections of the things I have  
17 received, I would simply just note, and I am not trying to  
18 make a motion or anything, but I would just note at this  
19 time that that is what I would expect to see, the whole thing.

20 JUDGE KELLEY: Well, let us just make this  
21 suggestion. As a matter of informal procedure you will put  
22 in what you want to put in and then Mr. Baxter and Mr. Barth  
23 can consider whether they want to put anything else in. If  
24 they don't, then that is the end of that. Then if they do,  
25 they can show you off the record what they have got and what

Sim 6-6 1 they want to do with it and see if you can't work it out.  
2 And if you can't, we can discuss it.

3 MR. EDDLEMAN: All right.

4 JUDGE KELLEY: Do you want to go ahead?

5 MR. EDDLEMAN: Yes. I would like to ask about  
6 two other reports in this package, if I might.

7 JUDGE KELLEY: All right.

8 CROSS-EXAMINATION (Resumed)

9 BY MR. EDDLEMAN:

10 Q Gentlemen, on the back of the third page I believe  
11 you will find a seismic weld data report for component hanger  
12 CCH-499. Now I am not reading the other part of the  
13 identifying number that comes before that, but it is on the  
14 form.

15 JUDGE KELLEY: Right.

16 MR. EDDLEMAN: I think it is self-explanatory  
17 from the document.

18 (Pause.)

19 WITNESS FULLER: Yes, we have got it.

20 BY MR. EDDLEMAN:

21 Q Okay. What I want to ask you about this is  
22 in sort of the left-hand column which I think you already  
23 testified can be used for comments in addition to problem  
24 descriptions. There is an indication of both oversize and  
25 extra welds, and I believe that shows that those were approved

Sim 6-7

1 by way of FCR-286; is that correct?

2 A (Witness Fuller) That is correct.

3 Q Okay. Now I would like to also refer you to  
4 the third page from the back, the front of the third page  
5 from the back of the thing that is called Exhibit 20. What  
6 we are using here is the whole stapled item, and this is  
7 a weld data report on QA-34 of the 1979 revision for hanger  
8 CCH-110.

9 (Pause.)

10 Do you have that?

11 A (Witness Fuller)

12 A (Witness Timberlake) Yes.

13 A (Witness Nevill) Yes.

14 A (Witness Hate) Yes.

15 Q Okay. Down at the bottom in the remarks there  
16 is a notation concerning lack of fusion. Can any of you  
17 explain what the problem of lack of fusion is and how it  
18 would be resolved by one of these RRs?

19 A (Witness Fuller) RR stands for reinspection  
20 rework. It was a document used during the 1980 reinspection  
21 to instruct the craft on what to do. Typically what that  
22 one probably said was there is lack of fusion on a certain  
23 joint out there, fix it, and this is simply a note by the  
24 QC inspector that it was fixed. He is explaining what was  
25 going on during that particular documentation up above.

Sim 6-8

1 Q Okay. Is there any particular weld noted on  
2 this reinspection form here that we are looking at that  
3 indicates which weld had the lack of fusion?

4 A Not that I am aware of.

5 MR. EDDLEMAN: I would request that the ---

6 JUDGE KELLEY: I thought we had this and now  
7 I am not sure. This lack of fusion notation we don't seem  
8 to be able to find.

9 MR. EDDLEMAN: It is down at the bottom of the  
10 remarks section of the QA-34 7/25/79 Revision 1 for hanger  
11 CCH-110. It is a different looking form that the later  
12 ones. It has a remarks section at the bottom.

13 (Pause.)

14 May I show it to you?

15 JUDGE KELLEY: CCH-110?

16 MR. EDDLEMAN: Yes, sir, three pages from the  
17 back.

18 WITNESS TIMBERLAKE: It is actually four pages  
19 from the back.

20 MR. BARTH: The fourth page from the back.

21 (Mr. Eddleman showed the document to Judge Kelley.)

22 JUDGE KELLEY: Okay.

23 MR. EDDLEMAN: At this time I would request that  
24 the two pages, the one we have talked about and the one  
25 facing it on CCH-110, and I am asking for the one facing it



Sim 6-9

1 just for completeness, and also the page that was discussed  
2 earlier concerning CCH-499 also be part of the admitted  
3 part of this exhibit.

4 MR. BAXTER: No objection.

5 JUDGE KELLEY: Mr. Barth?

6 MR. BARTH: No objection, Your Honor.

7 JUDGE KELLEY: The motion is granted.

8 CROSS-EXAMINATION (Continued)

9 BY MR. EDDLEMAN:

10 Q Gentlemen, I passed out this morning a Xeroxed  
11 copy of FCR-H-286, field change request, permanent waiver,  
12 consisting of four pages I believe. Could you locate that,  
13 please.

14 A (Witness Fuller) We have got it.

15 Q Is this to your knowledge, or any of you all  
16 knowledge the FCR-H-286 that is referred to in some of the  
17 documents we were just discussing from weld data reports?

18 A It is.

19 Q All right.

20 JUDGE KELLEY: We are having difficulty. Sorry,  
21 excuse me.

22 MR. EDDLEMAN: I believe I distributed to copies  
23 to the Board.

24 JUDGE KELLEY: I am sure it is here. Just give  
25 us a moment.

Sim 6-10 1

(Pause.)

2

JUDGE KELLEY: Maybe you can give us a hand,

3

Mr. Eddleman.

4

(Mr. Eddleman shows Judge Kelley the document

5

he is referring to.)

6

JUDGE KELLEY: I am sure I have got it here.

7

(Pause.)

8

BY MR. EDDLEMAN:

9

Q Now, gentlemen, is this field change request made

10

up on a standard form that was used for the purpose of making

11

and documenting the approval of field changes or premanent

12

waivers for the Harris plant?

13

A (Witness Fuller) That is correct.

14

Q Okay. And it is in the area of pipe hanger welding?

15

A That is the subject of the FCR, yes.

16

MR. EDDLEMAN: I would like this marked for

17

identifiatiion as Eddleman 29, please.

18

JUDGE KELLEY: Very well.

19

(The document referred to was marked

20

Eddleman Exhibit No. 29 for

21

identification.)

22

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23

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25

#7-1-SueT

1 BY MR. EDDLEMAN: (Continuing)

2 Q Gentlemen, the recommended action as stated in --  
3 I want to call it the middle block -- the lower large block  
4 on this page and then continues over on Page 3, correct?

5 A (Witness Fuller) That's correct.

6 Q And the -- in the justification it says that this  
7 FCR is required to permit, and then double underlined, the  
8 words "prompt corrective action" continuing to resolve open  
9 NRC items, correct?

10 A That's correct.

11 Q On the second page of this, we have a design  
12 organization approval, approved as recommended per a tele-  
13 phone conference.

14 Is that how you read that?

15 A That's correct.

16 Q And also an approval by Harris Plant engineering  
17 section, and a document distribution list, correct?

18 A Are you referring to, under second distribution?

19 Q Yes, sir.

20 A Yes.

21 Q Okay. On Page 3, it gives some notes. Are those,  
22 to your knowledge or in your reading of this document, the  
23 description of the -- the continuation of the description of  
24 the problem from that block on Page 1?

25 A Yes.

#7-2-SueT

1 Q Okay. In Item 4 of those notes, why are the words  
2 "excluding flexible connection joints" struck through, do you  
3 know?

4 A I'm not sure that it's struck through. I think  
5 it's the xeroxing here.

6 Q Let me see if I can -- what I'm trying to do is  
7 locate the original that that was copied from.

8 (Mr. Eddleman is searching through papers.)

9 The flexible connection joints are referred to in  
10 Item 6 also on Page 3, stating an itemized list of them is  
11 attached. And that is the list on Page 4, correct?

12 A That's correct.

13 Q Okay. Now, it says in Item 6 that the flexible  
14 joint is indicated by a notation in the weld system such as,  
15 and then it gives a welding symbol with a notation back on  
16 the tail of it, one-half inch return flexible joint connection,  
17 correct?

18 A Correct.

19 Q Okay. Now, in this document as a whole, what  
20 analysis of the appropriateness of approving this field  
21 change is there, to your knowledge?

22 A (Witness Nevill) Okay. The -- I may jump back up  
23 to the two design organizations that are indicated, the first  
24 being part of the logistics and the procedural control for  
25 a resolution of a change request.

#7-3-SueT

1 Q Uh-huh. Are you referring to Page 2 here?

2 A Yes. I will go ahead in that direction to answer  
3 your question --

4 Q Uh-huh.

5 A -- so I think it will be a better understanding.

6 Ebasco being the A checked off by logistics. There was a  
7 telephone resolution with them because of the location, them  
8 being in New York City. That's why you see a telephone.  
9 That way we keep the original document on site just to assure  
10 further control.11 The design resolution would then be documented in  
12 accordance with the procedures by the Ebasco design organiza-  
13 tion.14 The signatures in the second block by the Harris  
15 Plant engineering group is just a follow-up on our part to  
16 agree with the Ebasco resolution. The actual documentation,  
17 engineering calculations, or whatever may be associated with  
18 the analysis is done by Ebasco.19 Q Well, this is dated in 1980. Was there any re-  
20 quirement at that time that you attach documentation of  
21 analysis to a field change request approval form?

22 A No, sir.

23 Q Is there a requirement that that be done now under  
24 the enhanced program?

25 A No, sir, there is not. The documentation that we

#7-4-SueT

1 have for an approval, you know, has always been documented  
2 separately within the design organizations for our control.  
3 Any notes or any clarification that may be required, as in  
4 a conditional approved SCR, would be noted on the document.

5 Q All right. Gentlemen, I would like to refer you  
6 to what's Document Number 51 in the Eddlemen Exhibit 21 list.  
7 FCR-H-979, Revision 3.

8 JUDGE KELLEY: Could we have a little more des-  
9 cription of that?

10 MR. EDDLEMAN: Judge Carpenter has it, I know,  
11 because we just went over it. It's one of the ones I handed  
12 out this morning. It consists of I believe five pages.

13 JUDGE KELLEY: Okay.

14 BY MR. EDDLEMAN: (Continuing)

15 Q And I would like you also to obtain the document  
16 on the Eddleman 21 list is Number 52, CP&L, George White,  
17 FCR-H-979, Revision 3 - Justification.

18 This is a document of some thirty-nine pages in  
19 total, including the attachments.

20 Do you have those?

21 A (Witness Fuller) Yes, sir.

22 Q All right. Now, is the -- let me see -- do you  
23 have that?

24 A Yes, sir.

25 MR. EDDLEMAN: I would like to have these marked

#7-5-SueT

1 respectively as Eddleman 30 for the FCR-H-979, Revision 3,  
2 itself; and, Eddleman 31 for the FCR-H-979, Revision 3 -  
3 Justification, with attachments.

4 JUDGE KELLEY: Very well.

5 (The two documents just referred to,  
6 FCR-H-979, Revision 3, and FCR-H-  
7 979, Revision 3 - Justification,  
8 are marked as Eddleman Exhibits  
9 30 and 31, respectively, for  
10 Identification.)

11 BY MR. EDDLEMAN: (Continuing)

12 Q This request was initiated by you, Mr. Fuller,  
13 wasn't it?

14 A (Witness Fuller) That's correct.

15 Q Okay. Were there any reasons beyond those stated  
16 on the document why you initiated this request?

17 A I'm sure there is a difference between this and  
18 Rev 2, and all we were trying to do is make whatever changes  
19 that we wanted, and we wanted to make them official.

20 Q All right. Now, this would then be, as it states,  
21 the third revision of an original FCR-H-979 that had been  
22 approved earlier; is that correct?

23 A That's correct.

24 Q Now, I would like you to look at Page 2, if you  
25 will. In the design organization approval block at the top,

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#7-6-SueT

1 is any approval indicated?

2 A (Witness Nevill) No, sir, not by Ebasco. It's  
3 indicated to be the CP&L engineering section.

4 Q Okay. Was Ebasco not consulted about this?

5 A Well, yes, sir, they were. The normal process in  
6 an FCR is that on-site we have a choice, either to do it  
7 within the CP&L organization or do it in combination with  
8 Ebasco.

9 If we elect to do it in-house, we still in all  
10 cases submit a copy to Ebasco so they can be aware of the  
11 changes that we made.

12 Q Uh-huh. Okay. Now, the third sheet gives the  
13 visual inspection criteria of field and shop welds, correct?

14 A (Witness Fuller) Correct.

15 Q And Sheets 4 and 5 -- I believe they are out of  
16 order in these xeroxes, but they -- on Sheet 5 of 5 there is  
17 an illustration of certain weld joints and how to gauge them,  
18 and on Sheet 4 of 5 illustrations of weld profiles; is that  
19 correct?

20 A That's correct.

21 Q Okay. I would like to ask you about Sheet 3. Was  
22 that basically the criteria that were implemented by this  
23 Revision 3?

24 A (Witness Nevill) Yes, sir, it was. And the  
25 criteria that is on this particular FCR is that used by



#7-7-SueT 1 Bergen-Paterson in their QA program.

2 Q So, are you saying that you had -- CP&L changed  
3 their criteria to conform to the same as Bergen-Paterson's,  
4 is that what this did?

5 A Yes, sir.

6 Q All right. Now, the justification, if I might  
7 refer you to that, now this is on a CP&L form, correct?

8 A Yes, sir.

9 Q Okay. And this justification was prepared by  
10 CP&L to support Revision 3 of FCR-H-979?

11 A Yes, sir, that's correct.

12 Q Okay. Now, the justification, as I'm reading it  
13 here, the statements made on the first page of this document,  
14 and then down at the bottom it says: See also BP/Ebasco  
15 infro attached for additional justification.

16 Correct?

17 A Yes, sir.

18 Q Now, the first part of the attachment is a  
19 Bergen-Paterson nonconformance report, correct?

20 A Yes, sir, that's correct.

21 Q And there then follows some copies of some disposi-  
22 tion tags on I gather parts that had this problem that FCR-H-  
23 979, Revision 3, is intended to resolve?

24 A Yes, sir, it does. And if I recall, back in this  
25 time period this particular issue was raised by the Ebasco VQA

#7-8-SueT

1 and it related to potential weld defects on standard parts.

2 Q Uh-huh.

3 A And that's why these nonconformances apparently  
4 were generated.

5 Q Okay. Do you recall whether Ebasco VQA raised  
6 this problem before or after CP&L initiated a hundred percent  
7 reinspection of the vendor supplied shop welds for Harris  
8 pipe hangers?

9 A There is particular times on here. So, I guess if  
10 you just took the date off of some of the nonconformances,  
11 you assume it would be after. But I recall it being completely  
12 independent and completely separated from inspections on site  
13 to the hangers that we installed, and that Bergen-Paterson  
14 uniquely fabricates.

15 This relates purely to their standard parts,  
16 catalogue parts. I'm saying that because it's independent  
17 of what they fabricate through the fabrication process that  
18 we talk about in Contention 41.

19 Q Well, now aren't these parts that this referred to  
20 welded parts?

21 A Yes, sir, they would be.

22 Q And are they used in pipe hangers?

23 A Yes, sir, they are. They are considered catalogue  
24 parts.

25 Q Well, didn't the NRC in reviewing this FCR-H-979

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1 find that the use of it was improper?

2 A Not that I recall.

3 MR. EDDLEMAN: All right. I would request at  
4 this time that Eddleman 30 and Eddleman 31 be admitted into  
5 evidence.

6 MR. BAXTER: The Applicants have no objection.

7 JUDGE KELLEY: Okay, Staff.

8 MR. BARTH: No objection.

9 JUDGE KELLEY: Okay. The motion is granted.

10 (The documents previously marked  
11 as Eddleman Exhibits 30 and 31  
12 for Identification are received  
13 into evidence.)

14 The Board would like to take an earlier lunch than  
15 usual. If we are going to do that, we might as well do it  
16 right now to beat the lines at the various places. Why don't  
17 we just stop now and, since it's ten of 12, let's start at  
18 one.

19 And we will start promptly. Maybe you can be here  
20 a minute or two before. And we can get going right away.

21 Thank you.

22 MR. EDDLEMAN: Thank you.

23 (The hearing is recessed for lunch at 11:50 a.m.,  
24 to reconvene at 1:00 p.m., this same day.)

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(1:00 p.m.)

AFTERNOON SESSION

1  
2  
3 JUDGE KELLEY: Back on the record. Mr. Eddleman  
4 can resume his cross.

5 MS. MOORE: Your Honor, before Mr. Eddleman  
6 resumes, the Staff has a preliminary matter.

7 MS. MOORE: At the beginning of this session  
8 of the hearing, I handed out to the Board and parties an  
9 affidavit of Everley and Dennis J. Kubicki. This affidavit  
10 concerns the Staff's position on SER Open Item No. 8, which  
11 relates to fire doors.

12 JUDGE KELLEY: Right.

13 MS. MOORE: There was extensive discussion of  
14 this subject with Applicants witness Mr. Venesque in the  
15 evidentiary session on Contention 116, and this discussion  
16 took place at approximately transcript pages 4392 to 4454.

17 The Board also expressed some interest in the  
18 issue during cross examination of Staff witnesses at  
19 4786 to 4804. This item was left open in the SER of 1983,  
20 and Applicant submitted some information on the item on  
21 October 10, 1984. They have also submitted some additional  
22 information on November 8, 1984. The Staff has reviewed  
23 the information and the results of the review are contained  
24 in the affidavit.

25 I would like to move that the record be supplemented

1 by the incorporation into the transcript of this affidavit.

2 JUDGE KELLEY: Just so I am clear, it is Mr.  
3 Everley and Mr. --

4 MS. MOORE: -- Kubicki.

5 JUDGE KELLEY: Now, were those two gentlemen, or  
6 were one of them witnesses?

7 MS. MOORE: Mr. Everley was a witness in the  
8 proceeding. He is no longer with the agency, and Mr.  
9 Kubicki is also a fire protection engineer who participated  
10 in this particular aspect of the review.

11 At the time this item was discussed with the Board,  
12 the Staff argued that the particular item of the fire doors  
13 was not relevant to Contention 116, but since the review  
14 was completed, we have prepared the affidavit to give the  
15 Board the Staff's position on a matter that was covered  
16 during cross examination of both Staff and Applicants  
17 witnesses.

18 JUDGE KELLEY: And you are moving to include it,  
19 right?

20 JUDGE KELLEY: Okay. Mr. Eddleman?

21 MR. EDDLEMAN: I have been supplied with a copy of  
22 the affidavit, and I would object to its being admitted  
23 unless the yield point of the steel used in these fire doors  
24 and the temperature at which that yield point would normally  
25 be reached, and a definition, for example, in BTU per square

1 feet, or definition stating that the ASTM-E-119 curve  
2 on combustible loading determines significant fire  
3 exposure, to cause the door to yield and I also think that  
4 the Affidavit should state the assumptions, for example,  
5 whether the assumption about the fire brigade arriving to  
6 deal with the problem is part of the analysis, or what  
7 other assumptions are there. Whether the door itself  
8 would actually stand up to a fire in the adjacent areas  
9 or area for three hours, as the ratings require.

10 Mrs. Moore and I had some informal discussions  
11 about this, and I want to emphasize that I am not asking  
12 to bring the witness back or bring the new witness or  
13 the new affiant down here to cross examine them on this.  
14 I just think that it is very difficult to argue from a  
15 record that doesn't define these terms, and they are  
16 important to the determination of what it is that they  
17 mean in their affidavit.

18 JUDGE KELLEY: So, you are saying that you object  
19 subject to that information being provided; the information  
20 you described?

21 MR. EDDLEMAN: Yes, sir.

22 JUDGE KELLEY: Let me get the Applicants position  
23 on this.

24 MR. O'NEILL: Mr. Chairman, we certainly do not  
25 object to this affidavit being part of the record. We also

1 argue, however, that the fire doors were not relevant to the  
2 contention as that contention was stated, although clearly  
3 the contention is ambiguous enough that you can argue a  
4 number of things are within its bounds.

5 The Board did indicate it had some question about  
6 a record where there was an open item from the Staff's  
7 point of view.

8 Certainly this affidavit could be accepted if,  
9 for no other purpose, than for the proposition it is not  
10 an open item. The Staff is satisfied, for whatever reason  
11 that they are satisfied. That point need not be subject  
12 to intense cross examination as to the assumptions that  
13 go into that.

14 We also would not object to having additional  
15 information inserted into the record, except for the  
16 proposition we don't think it is necessary to simply  
17 corroborate the hundred and some pages of discussion on  
18 this issue by Mrs. Serbenesque, where she indicated in  
19 some detail why these doors were equivalent to a rated  
20 fire door.

21 I just simply don't think any of this is necessary  
22 for the Board to make its findings on this contention, but  
23 we certainly wouldn't object to it.

24 JUDGE KELLEY: We haven't discussed the affidavit  
25 yet. We got it, I guess, yesterday, so the Board has no

1 position on this now. I am just searching for options.

2 I am not sure that is always a good idea, but  
3 let me just ask Mr. Eddleman the kind of information that  
4 you indicate you would want to have. Could we do that just  
5 as well on the telephone, if we had the people on the phone,  
6 or one of them anyway?

7 MR. EDDLEMAN: Well, I am just concerned to have  
8 it -- the additional information be as much a part of the  
9 record as the affidavit.

10 JUDGE KELLEY: Well, it would be. What I am  
11 thinking about is this, and again, I am not sponsoring this  
12 at all, it is just a thought. Suppose we were on a telephone  
13 conference in the near future, and one of the two people  
14 here -- one is gone, I understand -- but the other one  
15 gets on the phone and he has read over the transcript and  
16 he knows what you are interested in and he provides that  
17 information, and then you ask him a few questions, and  
18 that is transcript material that is in.

19 Would that satisfy you? Do you think that would  
20 satisfy your concern?

21 MR. EDDLEMAN: Sure, as long as I get a copy of  
22 the phone transcript a few days at least in advance of when  
23 the proposed findings are due.

24 JUDGE KELLEY: Maybe that is an option.

25 MR. EDDLEMAN: All I am saying, I don't even --



1 as long as it can be submitted for the record. I don't  
2 care what form it is in as long as it supplies that  
3 information.

4 JUDGE KELLEY: We have a motion then, and we have  
5 Mr. Eddleman's -- I will call it conditional opposition  
6 and the Applicants do not oppose it. The Board will have  
7 to consider that and make a ruling in the near future,  
8 and we will do that.

9 Anything else before we pick up?

10 (NOTE: No response)

11 JUDGE KELLEY: Okay. Mr. Eddleman?

12 BY MR. EDDLEMAN: (Continuing)

13 Q Gentlemen, if we could refer again to Eddleman  
14 Exhibit 28, which I believe is Document No. 96, on page 11  
15 and following in the Eddleman 21 master list?

16 MR. BAXTER: These are the pipe hanger problems?

17 MR. EDDLEMAN: Right.

18 BY MR. EDDLEMAN: (Continuing)

19 Q And as I understand it, if I give a problem  
20 number, they have an independent reference system for  
21 finding it.

22 JUDGE KELLEY: This is previously marked as  
23 Eddleman 28?

24 MR. EDDLEMAN: Yes.

25 JUDGE KELLEY: Could you give us a description?

1 MR. EDDLEMAN: The cover is Carolina Power and  
2 Light Company, PHP Transmittal Sheet, upper right side,  
3 WP-110, Exhibit 1. It is a fairly thick thing. It is  
4 over a quarter inch thick. It consists of a number of  
5 these pipe hanger problem sheets.

6 JUDGE CARPENTER: What was that again?

7 MR. EDDLEMAN: 110, Exhibit 1.

8 JUDGE KELLEY: My documents are in total  
9 disorder today. I can't find it. I need all the help  
10 I can get. Why don't you go ahead, Mr. Eddleman.

11 BY MR. EDDLEMAN: (Continuing)

12 Q I would like to refer to PHP-1246, please.  
13 Now, this transmittal sheet notes that the hanger is  
14 built. Does that mean it has already been constructed?

15 A (Witness Fuller) That is correct. Or at least  
16 there is some steel up and welded.

17 Q Okay. Do you read this thing as attempting to  
18 resolve previous problems, the PHP-895 and PHP-1146, for  
19 example, that are referenced in the problem description?

20 A Without reading 895 and 1146, I really don't  
21 know what the problem is.

22 Q Okay. At any rate, this proposes to put certain  
23 welds at certain parts of various pieces which are identified  
24 by numbers, right?

25 A That is correct.

1 Q Okay. When you do weld mapping under your  
2 enhanced reinspection program, does the weld map identify  
3 the various pieces in the same way that these pipe hanger  
4 problems do; that is, by numbers?

5 A Weld maps are by welded joints. We call them  
6 things like field joint 1, field joint 2, field joint 3,  
7 et cetera. If you were to put this particular PHP into the  
8 weld map sequence, I would once again have to have the  
9 drawing. For argument sake, let's assume there is only  
10 one piece, three to four; that might under the new  
11 weld map sequence, be called field joint 1.

12 Q And if there were another one, that might be  
13 field joint 2, or 3, or --

14 A That is correct.

15 Q Okay. Now, is the weld mapping process simply  
16 assigning a unique number to each weld on the hanger?

17 A To each joint on the hanger.

18 Q Each -- okay, so a joint might have more than  
19 one weld, is that what you are saying?

20 A A joint could have welds on opposite sides, or  
21 all the way around, and it would still be the same joint.

22 Q Okay. Could I call your attention to Document  
23 No. 49 of the Eddleman 21 sequence. This is fronted by  
24 a sheet Carolina Power and Light Company, Shearon Harris  
25 Nuclear Power Plant, Procedure Change Notice for Procedure

1 WP-139.

2 It consists of about 20 or 25 pages attached.

3 JUDGE KELLEY: Can we have that just once more?

4 MR. EDDLEMAN: Yes, sir.

5 JUDGE KELLEY: That is prefiled, correct?

6 MR. EDDLEMAN: Yes. It is Procedure WP-139,

7 Procedure Change Notice is on the front sheet. That is

8 Exhibit 13 AF-IV-03, up in the upper right corner.

9 MR. BARTH: Does this have one of your numbers  
10 on it, Mr. Eddleman?

11 MR. EDDLEMAN: It is number 49, I believe I  
12 said. Excuse me. Down at the bottom, if it helps, there  
13 is the stamp designation on the lower right, 000619.

14 JUDGE KELLEY: 000619?

15 MR. EDDLEMAN: Yes, sir.

16 JUDGE KELLEY: WP-139?

17 MR. EDDLEMAN: Right.

18 JUDGE KELLEY: Okay.

19 MR. EDDLEMAN: Pipe hanger work package preparation  
20 is the procedure title.

21 JUDGE KELLEY: Okay. Right.

22 BY MR. EDDLEMAN: (Continuing)

23 Q Gentlemen, do you have that?

24 A (Witness Fuller) Yes, we do.

25 Q Okay. Now, is this the procedure for preparing

1 work packages for pipe hangers that was put in place as  
2 part of the enhanced inspection program at Harris at the  
3 end of 1983?

4 A Yes, it is.

5 Q Okay. And the two front sheets are the changes  
6 that were implemented on the dates shown?

7 A That is correct.

8 Q Okay. Now, this describes all the parts of the  
9 work package, and how they are supposed to be generated  
10 and used for Harris hanger under this program?

11 A I believe it gives a brief description of a  
12 lot of the documentation in the hanger packages, but  
13 it doesn't give all the information of how it is to be  
14 used, such as, I believe, an SWDR is attached to the  
15 back of this as one of the exhibits, and it talks about  
16 who is filling out what, but it certainly doesn't  
17 supplement or supersede any of the QA procedure requirement  
18 of filling it out.

19 Q So, this procedure establishes what has to be  
20 in the package, but does not change the requirements for  
21 how the various reports like the seismic weld data report  
22 would be filled out, is that correct?

23 A That is correct.

24 MR. EDDLEMAN: I would like this marked for  
25 identification as Eddleman 32, I believe is my next number.

1 JUDGE KELLEY: Very well.

2 MR. EDDLEMAN: And I would move that it be  
3 admitted into evidence.

4 MR. BAXTER: No objection.

5 MR. BARTH: No objection.

6 JUDGE KELLEY: Motion granted.

7 XXX INDEX

8 (Above referenced document  
9 is marked and received in  
10 evidence as Eddleman Exhibit No. 32)

11 MR. EDDLEMAN: Now, I am trying to do a little  
12 document control here myself to keep these in order. I  
13 would like to next refer you to documents 33 through 35  
14 of the Eddleman 21 list, and the front one is the document  
15 No. 35 on the list, a letter to John Harris, Southwest  
16 Feabricating and Welding Company, concerning fabrications  
17 isometrics. And I request that this be marked as Eddleman  
18 No. 34.

19 JUDGE KELLEY: Just looking for it.

20 MR. EDDLEMAN: Would include all three of the  
21 items, 33, 34, and 35 of the Eddleman 21 list.

22 JUDGE KELLEY: A letter to whom again?

23 MR. EDDLEMAN: John Harris. It is Ebasco letter-  
24 head, January 18, 1982. Very dark print, if that helps.  
25 It is about five pages.

JUDGE KELLEY: Okay.

1 MR. EDDLEMAN: Gentlemen, do you have this  
2 letter and attachments?

3 MR. FULLER: Yes.

4 BY MR. EDDLEMAN: Okay.

5 JUDGE KELLEY: Are you proposing to number this  
6 -- which number?

7 MR. EDDLEMAN: Eddleman 34. I will point out  
8 that the file number is 5QP1, and 5QM30 that are listed  
9 as 33 and 34 are all on this letter. It is really one  
10 document.

11 JUDGE KELLEY: Well, I have a cover, one page  
12 letter, and then I have five pages --

13 MR. EDDLEMAN: -- attachments, as noted on the  
14 letter.

15 JUDGE KELLEY: Five pages, right?

16 MR. EDDLEMAN: Five page attachment, correct.

17 JUDGE KELLEY: And that is, again, 34?

18 MR. EDDLEMAN: Yes. What I am trying to point  
19 out is that 33, 34, and 35 are really all the same document.

20 MR. BARTH: The next document for identification  
21 from Mr. Eddleman's list is No. 33.

22 MR. EDDLEMAN: Oh, I am sorry. It should be  
23 marked as Eddleman 33, that is what it is.

24 JUDGE KELLEY: All right. 33.

25 (Above mentioned document)

8-13-Wal

is marked Eddleman Exhibit No. 33  
for identification.)

XXXX INDEX

End 8.  
MS. fols.

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Sim 9-1

1 BY MR. EDDLEMAN:

2 Q Gentlemen, are any of you familiar with this  
3 document?

4 MR. BAXTER: Objection. This document on its  
5 face appears to deal not with pipe hangers, but with piping  
6 manufactured by Southwest Fabricating and Welding Company.  
7 We are dealing with pipe hangers here manufactured by Berg  
8 and Patterson.

9 MR. EDDLEMAN: What I am trying to find is a  
10 reference to piping on the letter.

11 (Pause.)

12 MR. BAXTER: We are doing from the basis of knowing  
13 who the fabricator is. I would be happy to have the Board  
14 ask the witnesses is that correct.

15 MR. EDDLEMAN: Will you let me ask the witnesses?  
16 I will ask them.

17 JUDGE KELLEY: Go ahead, Mr. Eddleman, if you  
18 want to.

19 BY MR. EDDLEMAN:

20 Q Gentlemen, does this document, to your knowledge,  
21 have anything to do with pipe hangers for Shearon Harris?

22 A (Witness Fuller) No, it doesn't.

23 MR. EDDLEMAN: Okay. That takes care of that.

24 JUDGE KELLEY: So we withdraw No. 33 then from  
25 this?

Sim 9-2

1 MR. EDDLEMAN: Well, it has just been marked.  
2 It has never been moved into evidence.

3 JUDGE KELLEY: If it is obvious it has never been  
4 and it is never going to get there, why don't we just keep  
5 the 33.

6 MR. EDDLEMAN: All right, we will just knock  
7 it off.

8 (The document referred to, previously  
9 marked Eddleman Exhibit 33 for  
10 identification, was WITHDRAWN.)

11 BY MR. EDDLEMAN:

12 Q Mr. Timberlake, I would like to call your attention  
13 to a few of the training documents which are referenced on  
14 my list.

15 The first one I would like to refer to is  
16 numbered No. 71 on the list. It is a memo dated December  
17 9, 1980 from you to a Mr. R. Hanford, and with attachments  
18 to a thickness of about a quarter inch. It is stated as  
19 44 pages total.

20 Do you have that?

21 A (Witness Timberlake) Yes, I do.

22 MR. EDDLEMAN: Okay. Now let's mark this one  
23 as Eddleman 33, if we may.

24 JUDGE KELLEY: Let us catch up with you.

25 MR. EDDLEMAN: Okay.

JUDGE KELLEY: Will you repeat the description

INDEX

Sim 9-3

1 MR. EDDLEMAN: It is dated December 9, 1980. It  
2 has got like a dark bar across the top of the date. Memo  
3 to R. Hanford from D. Timberlake, subject: Welder Craft  
4 Training Bimonthly Update.

5 JUDGE KELLEY: Just a minute.

6 (Pause.)

7 All right. 33?

8 MR. EDDLEMAN: Yes, sir.

9 JUDGE KELLEY: Okay.

10 (The document referred to was  
11 marked Eddleman Exhibit No. 33  
12 for identification.)

13 BY MR. EDDLEMAN: .

14 Q Mr. Timberlake, I believe that your attachment to  
15 your testimony giving your resume shows that you transferred  
16 to the Harris Site Mangement Section on August 1st, 1980.

17 A At that time period, yes. That is right.

18 Q Okay. Did you take up welder craft training at  
19 that point or after you moved to the Harris plant?

20 A Well, for the first week and the third week of  
21 August of that year I was in training to get my required  
22 reading requirements completed for the Harris site. The  
23 second week I was transferred back to Brunswick for about  
24 five dats for a project there.

25 Then after that time, after that reading period

NDEY XXXXX

Sim 9-4

1 requirement was completed, I was working with craft welding  
2 and was involved in training.

3 Q Okay. And was it a regularly established thing  
4 then that you would provide a bimonthly update on welder  
5 craft training as part of those responsibilities you took  
6 up in late August of 1980 at the Harris plant?

7 A That is part of our unit's program, yes.

8 Q Okay. And were you the person that was designated  
9 to make these reports, that is what I am trying to get at?

10 A Not always, no.

11 Q Well now, it it states on this memo that all  
12 welders and welding foremen received this training class,  
13 correct?

14 A That is correct.

15 Q Was this a class that was set up or required in  
16 part because of the problems with pipe hangers that the NRC  
17 inspector identified in September of 1980?

18 A That is correct.

19 Q When it says a two and a half hour training class,  
20 does that mean that all of this material would be covered  
21 normally in two and a half hours?

22 A It means that the information covered in this  
23 letter was covered in individual training classes which lasted  
24 approximately two and a half hours.

25 Q Okay. A person would take one of those classes

Sim 9-5

1 or would they take all of them?

2 A Just one.

3 Q All right. Now the attachment -- would you  
4 look back at about the 7th or 8th page in this stapled  
5 document. There begins an apparently handwritten sheet,  
6 outline for welder training class, do you have that?

7 A Yes.

8 Q Now was this the outline that you used for those  
9 classes that are referenced in the memo?

10 A That is correct.

11 Q Okay. That page and the following pages consist  
12 basically of instructions as to the standard welding symbols,  
13 correct?

14 A Correct.

15 Q Okay. And then after that, and this is about  
16 another seven pages back, there is a printed sheet with the  
17 title "Standard" in the upper right corner. Do you have that?

18 A Yes, I do.

19 Q And is this the handout that you used in the  
20 class?

21 A I think that is correct, yes. I need to refer  
22 back to the letter. It doesn't state there that a handout  
23 was given out.

24 Q I believe if you look at the introduction of  
25 the outline for welder training class under Item 1-A ---

Sim 9-6

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A Right, the handout was given out.

Q Okay. And the handout is listed as attached, right?

A That is correct.

Q There are actually two pages of this handout of basic welding symbols and their significance to supplementary symbols and elements of welding symbol and so forth as shown here, right?

A That is correct.

Q If you turn over to the next page there is a memo to welding supervision from B. B. Issum concerning controlled welding material and a handout attachment. Did you also cover that in these classes?

A Yes.

Q And the test that is the next page titled "Test Welder Craft Training - November '80," has down in the bottom right-hand No. 000511. Was that the test that was used in your class?

A That is correct.

Q Was this administered as part of the class within the two and a half hours or was that afterwards?

A Well, as I recall, it was done at the end of the class.

Q Okay. The prequalified joint welding procedure specification beginning right after that with page 1 of 26 and continuing through page 26, was that also

Sim 9-7

1 covered in your class?

2 A Yes, it was.

3 MR. EDDLEMAN: At this time I would move that  
4 Eddleman 33 be admitted into evidence.

5 MR. BAXTER: No objection.

6 MR. BARTH: No objection.

7 JUDGE KELLEY: Motion granted.

8 (Eddleman Exhibit No. 33, previously  
9 marked for identification, was  
10 admitted into evidence.)

INDEX

11 BY MR. EDDLEMAN:

12 Q Mr. Timberlake, I would now like to refer you to  
13 document No. 61 of the Eddleman 21 list which I believe is  
14 noted on page 6 of that list. File SHP-1/2 is in the upper  
15 left. Title "QA/QC Harris Plant Personnel Training," dated  
16 April 5, 1984. This is a fairly thick set of attachments,  
17 over a quarter of an inch. Down at the bottm right is  
18 the designation "000616." Do you have that?

19 A (Witness Timberlake) Yes, I do.

20 Q Has everybody got it?

21 (Witnesses nodding affirmatively.)

22 Now this first sheet here, let's see --

23 (Pause.)

24 MR. EDDLEMAN: I guess I should asked that this  
25 be marked as Eddleman 34.

Sim 9-8

JUDGE KELLEY: Very well.

(The document referred to was marked Eddleman Exhibit No. 34 for identification.)

BY MR. EDDLEMAN:

Q This top sheet on personnel training, is this a standard form that is used to describe the content of personnel training for the Harris plant and detail the people who receive the training?

A (Witness Timberlake) It is used in that manner by the QA/QC organization.

Q Okay. Mr. Nevill, could you please look at the third page in this document, QA/QC Harris Plant Personnel Training, 3/29/84.

A (Witness Nevill) Yes, sir, we have got it.

Q I can't read the signature of the instructor there. Is that you?

A No, sir, it is not. I was not involved in this at all, in the training aspect of it.

A (Witness Timberlake) Mr. Eddleman, that is my signature.

Q It is.

(Laughter.)

In fact we could establish this if we looked over on the next page of the document, couldn't we?

INDEX



Sim 9-9

1 A That is correct.

2 Q Mr. Timberlake, have you done a number of such  
3 training classes in 1984?

4 A I have done some.

5 Q And in fact if we look over at the next page  
6 beyond the memo that you signed, that is down to the fifth  
7 page, we have a class where the instructor is listed as  
8 David Timberlake, do we not?

9 A That is right.

10 Q I would like to refer you a little further on,  
11 a few more pages down there is a company correspondence letter  
12 of CP&L dated March 26th, 1984 to Ray Hanford from you  
13 concerning a half hour training class on the requirements  
14 of site spec 034, Revision 12, related to structural and  
15 hanger welding for QC inspection personnel with outline and  
16 attendance sheet attached, right?

17 A That is correct. I have that.

18 Q The outline consists of the next how many pages,  
19 if you can help me out there?

20 (Pause.)

21 A It is nine pages I believe.

22 Q Okay. And you covered all this in half an hour?

23 A Yes, I did.

24 Q And then we have got some more training records  
25 of apparently some other classes, one of which was instructed

Sim 9-10

1 by yourself that immediately follows this class outline?

2 If you look right behind the outline on the next  
3 page.

4 A Yes.

5 Q Okay. I would like to refer you back about 10  
6 pages further in this. There is a SHP one-half file,  
7 personnel training sheet dated 2/16/84 concerning qualifica-  
8 tions of I think it is welders and welding operators?

9 A That is correct.

10 Q Okay. The attendees, their names are typed out  
11 and signed off except for five it appears on this sheet that  
12 have N/A after their names, correct?

13 A That is right.

14 Q Now have you ever had a class attendance sheet  
15 where the names of the people to receive training are printed  
16 on it and they have to sign off by their names?

17 A I don't recall any classes that I have ever  
18 taught where that was true.

19 Q To your knowledge, are any of these people welding  
20 inspectors who inspect piping at Shearon Harris?

21 A Yes, some of them are.

22 Q Okay. The next page begins a description of this  
23 training, does it not, that these people received?

24 A Yes.

25 JUDGE KELLEY: I am out of sync, Mr. Eddleman.

Sim 9-11

1 Could you locate me here again? What page are you on?

2 MR. EDDLEMAN: Following the page we were  
3 discussing, the typed names and the N/A's on it, the next  
4 page ---

5 JUDGE KELLEY: I have got one of those, but I  
6 am not sure it is the right one. Is that dated 3/6?

7 MR. EDDLEMAN: No, sir, it is dated 2/16.

8 JUDGE KELLEY: 2/16/84.

9 MR. EDDLEMAN: There may be another one dated 3/6  
10 in here, but I am on the one that is 2/16.

11 JUDGE KELLEY: All right. Now what date are you  
12 on now?

13 MR. EDDLEMAN: I had just turned with Mr. Timberlake  
14 to the next page, which is CP&L Company correspondence dated  
15 February 7, 1984. It has a designation over toward the top  
16 right of WE-754.

17 JUDGE KELLEY: These papers are not in chronological  
18 order, are they?

19 MR. EDDLEMAN: I don't believe so.

20 JUDGE KELLEY: About how far are you into this  
21 particular piece?

22 MR. EDDLEMAN: Just a little shy of the middle,  
23 Judge.

24 JUDGE KELLEY: Now the one that you want to talk  
25 about now is dated when?

Sim 9-12

MR. EDDLEMAN: February 7, '84.

JUDGE KELLEY: Okay. This is a memo to Hanford  
and Forhand from Shake?

MR. EDDLEMAN: Correct.

BY MR. EDDLEMAN:

Q Is that correct, Mr. Timberlake?

A (Witness Timberlake) Yes, that is correct.

JUDGE KELLEY: All right.

BY MR. EDDLEMAN:

Q And this is the training that was done in that  
class that is the training sheet -- as noted on the previous  
sheet, right, right?

A That is correct.

Q And, in fact, if we go back through this, there  
are some other training sheets, for example, inspection  
criteria. I don't want to have to go through every one of  
these with you, but just let me ask you this. There seems  
to have been a lot of training going on in this time period  
fo early 1984. Would you say that is correct?

MR. BAXTER: These documents are not limited to  
1984.

end Sim  
Joe fols

#10-1-SueT 1

BY MR. EDDLEMAN: (Continuing)

2 Q Let me ask it this way. In the period from  
3 January through April of 1984, as documented in various parts  
4 of this exhibit, there is a substantial amount of training  
5 for various personnel including welders and weld inspectors  
6 for the Harris Plant, is it not?

7 A (Witness Timberlake) Well, I think -- I'm not  
8 really sure how you intend your question to be taken.

9 (Witness Hate) Maybe I can clarify that we have  
10 a continuing training program going on, whether it be in  
11 1980 or '84 or '85 it's a continuing training program.

12 Q Well, now, the training that is going on here  
13 though, as I understood Mr. Timberlake, was connected with  
14 the revised -- I can't remember the word that you characterized  
15 it by --

16 MR. BAXTER: Enhanced.

17 BY MR. EDDLEMAN: (Continuing)

18 Q Yes. The enhanced pipe hanger inspection program;  
19 is that correct?

20 A (Witness Timberlake) I never said that.

21 Q Well, Is any of this related to that enhanced  
22 program?

23 A Some of it may be. I don't think there is a direct  
24 correlation.

25 Q All right.

#10-2-SueT1

1 A The training of the QC personnel, as Mr. Hate  
2 was explaining, is just part of their ongoing training pro-  
3 gram.

4 Q Okay. Let me refer you to -- this is -- I don't  
5 know any better way to specify it, it's about two-thirds of  
6 the way to the back of this, maybe three-quarters, this is  
7 another Corporate QA/QC Section Personnel training sheet,  
8 dated 11/29/83, Class Title Site Specification 033.

9 Do you have that?

10 A Yes, I do.

11 Q And, then also following that there is a hand-  
12 written sheet referring to a training class held for latest  
13 revision to WP-110.

14 Now, would that have been Revision 9 in late '83?

15 A (Witness Fuller) Yes.

16 Q Okay. Let me refer you to further back here,  
17 another personnel training sheet, dated 10/25/83, topic,  
18 NVEP605, Revision 1, and so on.

19 MR. BARTH: Your Honor, at this time I would  
20 object. We have been for half an hour on this piece of paper.  
21 I would object. It's just not relevant. It doesn't tend  
22 to have any tendency to make the existence of a fact that is  
23 of a consequence to the determination of this contention any-  
24 more probable than that. It's just not relevant.

25 We just sit and read this piece of paper, though

#10-3-SueT

1 it's very interesting -- I'm learning a lot -- I think it's  
2 irrelevant. I object, Your Honor.

3 MR. BAXTER: I join in --

4 MR. BARTH: To both the question and the line.

5 MR. BAXTER: I join Mr. Barth, Mr. Chairman. We  
6 are sort of cataloguing this document. The witnesses have  
7 testified that there is nothing unique about this training.  
8 It's part of the ongoing training program.

9 If Mr. Eddleman's purpose here is to demonstrate  
10 that we've done inadequate training I don't see how we are  
11 getting at that point through this cross-examination.

12 MR. EDDLEMAN: Well, let me pursue that if I might.  
13 I want to get out of the objection, because I don't see the  
14 need to go through every part of it.

15 JUDGE KELLEY: Now, we have an objection to the  
16 line as so far developed, right? It's along the lines of  
17 relevancy, and I would like you to respond to it.

18 MR. EDDLEMAN: Sure. Okay. Some of these outlines  
19 are quite extensive and the amount of time that the stuff  
20 is covered in is stated on some of these documents, how much  
21 time it takes to instruct in all these areas. And I think  
22 that, on its face, raises a question of the adequacy of the  
23 instruction.

24 And what I would like to do to tie this up is to  
25 simply ask if these are fairly typical of the documentation of

#10-4-SueT 1

the training programs that have been ongoing at Harris in  
late '83 and early '84.

2

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JUDGE KELLEY: But your submission on the relevance  
point is, if I understand it correctly, is that the outlines  
compared with the time devoted suggest a sort of slap-dash  
approach to training, superficial, pick your word, but that's  
the idea?

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MR. EDDLEMAN: Yes, sir. And this after years and  
years of having problems with these particular kinds of  
things.

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MR. BAXTER: What we are doing here then is looking  
at a snapshot without having established what other training  
has already been provided to these welders and welding in-  
spectors. You've proved nothing about whether they were  
adequately trained to take a look at one month or two month's  
classes, the length of time devoted to a given subject, with-  
out knowing what they have already heard about that subject.

That's pure speculation, Mr. Eddleman's thesis that  
this represents inadequate training on these subjects.

JUDGE KELLEY: Isn't it pretty common for a party  
to put in his version of reality and then the other party to  
fill it out? I mean, I think this proves what they say it  
proves.

23

24

Isn't it up to you to come in and fill in the  
picture? Is that a reason to keep it out?

25



#10-5-SueT

1 MR. BAXTER: We are not talking about keeping any-  
2 thing out at this point. We are talking about what we are  
3 accomplishing with this line of questioning, of going through  
4 page by page talking about each -- and we've heard for the  
5 first time just now that that's what he is attempting to  
6 show.

7 Yeah, we can respond to it once we know what the  
8 thesis is. We haven't known up until we raised this objection  
9 what it was.

10 JUDGE KELLEY: But the objection is raised. I  
11 thought I was ruling on an objection to a line of questioning  
12 on the ground that it was irrelevant. And now we are  
13 determining whether it's relevant or irrelevant. And Mr.  
14 Eddleman offered that reason for its being relevant, and so  
15 that would suggest that the objection be overruled, which it  
16 is.

17 MR. EDDLEMAN: I intend to wrap this up.

18 JUDGE KELLEY: Okay.

19 BY MR. EDDLEMAN: (Continuing)

20 Q Gentlemen, I represent to you this is discovery  
21 documents I received from the Company.

22 Did any of you have anything to do with preparing  
23 the sampling of documents on training produced on discovery  
24 for me in this -- with respect to this contention?

25 A (Witness Fuller) I didn't.

#10-6-SueT

1 (Witness Neville) Neither did I.

2 (Witness Hate) I didn't.

3 (Witness Timberlake) I don't recall being in-  
4 volved in it, no.5 Q Okay. Well, Mr. Timberlake, you do recognize  
6 these documents as being the kinds of forms and outlines that  
7 are used to document the training of welders and weld in-  
8 spectors at Shearon Harris, right?

9 A Yes.

10 Q Okay. I was going to require about the representa-  
11 tiveness of this but I think it might be better to refer to  
12 the discovery.13 Do you gentlemen have a copy of the Applicants'  
14 responses to Wells Eddleman's interrogatories dated April 17,  
15 1984?

16 A (Witness Fuller) Yes, we do.

17 Q All right. The interrogatory, 41-31, on Page 43  
18 of that document, asking about additional training, do you  
19 have that? The interrogatory is in the middle of the page.

20 A Yes, we do.

21 Q Okay. That refers to additional training beyond  
22 what was done prior to 1983, does it not?23 MR. BAXTER: Would you repeat that question,  
24 please, Mr. Eddleman?

25 MR. EDDLEMAN: That question asked about additional

#10-7-SueT1

training beyond what was done prior to 1983.

2

MR. BAXTER: Okay.

3

WITNESS TIMBERLAKE: Correct.

4

BY MR. EDDLEMAN: (Continuing)

5

Q And the next question, down at the bottom of the

6

page, asks in detail about training related to problems

7

inspecting pipe hangers at Harris. And the answer on the

8

next page says that documents detailing this ongoing training

9

will be produced.

10

Does it not say that?

11

A That's correct.

12

Q Okay. Mr. Timberlake, do you know how much, or

13

how many classes would be offered in training concerning

14

welding or weld inspection that would relate to pipe hangers

15

for the Harris Plant in early 1984?

16

I mean, was it like one class a week or five classes

17

a week, or can you recall?

18

MR. BAXTER: For a given welder or on the site?

19

MR. EDDLEMAN: The number of classes being con-

20

ducted by the training personnel.

21

WITNESS TIMBERLAKE: I really don't recall.

22

BY MR. EDDLEMAN: (Continuing)

23

Q Okay. Certainly there were as many as are docu-

24

mented in Eddleman Exhibit 34 for the period, right?

25

A For the period, that's correct.

#10-8-SueT 1

2 MR. EDDLEMAN: At this time, I would like to move  
the admission of Eddleman 34 into evidence.

3 MR. BAXTER: No objection.

4 JUDGE KELLEY: Earlier there was an objection on  
5 the line, and we are prepared to admit the exhibit. In the  
6 light of the discussion of it, however, in terms of what it  
7 was designed to prove, and on that basis we will admit it.

8 (The document previously marked as  
9 Eddleman Exhibit Number 34 for  
10 Identification is received into  
11 evidence as Eddleman Exhibit  
12 Number 34.)

INDEXXXXXXXXXX

13 BY MR. EDDLEMAN: (Continuing)

14 Q Mr. Timberlake, if I could refer you to Handout  
15 Document Number 26, entitled "Outline for Welder Training  
16 Class," that's on the first page of the Eddleman 21 master  
17 list.

18 MR. EDDLEMAN: And I would request that this be  
19 marked for identification as Eddleman 35.

20 JUDGE KELLEY: Give me a little description again,  
21 please?

22 MR. EDDLEMAN: Yes, sir. It's -- the face is a  
23 handwritten document entitled "Outline for Welder Training  
24 Class." It's Number 26 on the typed copy of my sheet, the  
25 Eddleman 21 master list.

#10-9-SueT

1 JUDGE KELLEY: Is this Mr. Timberlake's outline?

2 MR. EDDLEMAN: It appears to be.

3 BY MR. EDDLEMAN: (Continuing)

4 Q Is that right, Mr. Timberlake?

5 A It's the same outline, that's right.

6 Q Okay. Now, if we go past the outline in the  
7 handout sheets there, the next things we come to are some  
8 lists of attendees for a welding symbols class in 1980; is  
9 that right?

10 A The 10/17/80 list?

11 Q Uh-huh.

12 A Okay.

13 Q All right. Now, to the knowledge of any of the  
14 members of the panel, would this training in welding symbols  
15 have been in response to the problems discovered by the NRC  
16 in September of 1980?

17 A It was in response to that.

18 Q All right.

19 JUDGE KELLEY: Excuse me, Mr. Eddleman. I'm in  
20 trouble again. This is exhibit number what?

21 MR. EDDLEMAN: This would -- I asked it to be  
22 marked as Eddleman 35. I don't recall whether it has actually  
23 been marked yet. And it begins with the handwritten outline  
24 for welder training class and has some attachments, approximately  
25 25 pages total.

#10-10-SueT 1

MR. BAXTER: It's the same outline that was just  
2 included in the Eddleman 33.

3

JUDGE KELLEY: Is this the bi-monthly update  
4 document?

5

MR. EDDLEMAN: No, sir, it's another document.

6

MR. BAXTER: Can you explain for us why the outline  
7 is in two exhibits, or what the difference is?

8

MR. EDDLEMAN: Since it appears to be the absolutely  
9 identical outline, I think it's an error in either my assembly-  
10 ing the documents or the reproduction.

11

If it would clear things up, it might be better to  
12 mark the part not including that outline and attachment as  
13 Eddleman 35. But I've got to tell people what it's in so  
14 they can get it.

15

JUDGE KELLEY: Let's go off the record.

16

(An off-the-record discussion ensues.)

17

JUDGE KELLEY: All right. We are back on the  
18 record.

19

This is to be marked as --

20

MR. EDDLEMAN: Eddleman 35.

21

JUDGE KELLEY: Now, Mr. Baxter has a question  
22 though about having some of the same material in two.

23

MR. EDDLEMAN: Right. And I said I would be  
24 perfectly agreeable to just -- Mr. Timberlake's outline and  
25 attachment are the first I think eight pages of this. At any

#10-11-SueT

1 rate, the handout sheet, the printed handout sheet, about the  
2 welding symbols is a real give away as to what the last part  
3 of that is. And what I'm saying is I'm perfectly willing to  
4 just mark as Eddleman 35 the portion of this that goes on from  
5 there so it doesn't duplicate it.

6 JUDGE KELLEY: So, if I take this document -- where  
7 do I start? This page is gone?

8 MR. EDDLEMAN: The Timberlake outline in its  
9 entirety would be eliminated, since that's already part of  
10 another exhibit.

11 JUDGE KELLEY: Okay.

12 MR. EDDLEMAN: And the two attached basic welding  
13 symbols, location significance, handout sheets attached, those  
14 go, too, because they are also in another exhibit.

15 JUDGE KELLEY: Okay. What then is Page 1 of 35?

16 MR. EDDLEMAN: The training record from Daniel  
17 Construction Company, 10/17/80, welding symbols class. That  
18 would be the beginning of Eddleman 35.

19 JUDGE KELLEY: Okay. All right.

20 (The document referred to above is  
21 marked as Eddleman Exhibit Number  
22 35 for Identification.)

23 BY MR. EDDLEMAN: (Continuing)

24 Q Mr. Timberlake, after we go through those atten-  
25 dance lists for -- let's see, on the two welding symbols class

DEXXXXX

#10-12-SueT attachments that are there, the length of the class in both  
2 cases is given as two hours, is it not?

3 A (Witness Timberlake) That's correct.

4 Q All right. Now, the next page here is a speed  
5 letter to the files from you, is it not?

6 A That's correct.

7 Q Okay. Skewed T-fillet weld measurement class, now  
8 is this in response to a problem found with the skewed T-fillet  
9 welds on the Harris pipe hangers?

10 A Yes, it is.

11 Q Okay. And that's dated February 2nd, 1982, right?

12 A That's correct.

13 Q With an attachment showing the attendees' signa-  
14 tures?

15 A Right. You might note that the training class was  
16 conducted on January 21st, 1982.

17 Q As stated on the speed letter, right?

18 A Right.

19 Q Okay. Now, it says that this class covered the  
20 use of parallel lines in measuring skewed T-fillets as out-  
21 lined in AWS D1.1-81, correct?

22 A That's correct.

23 end #10  
24 Joe flws



1 Q I would like to refer you to Document No. 25,  
2 on the Eddleman master list, Eddleman 21. And that  
3 consists of four pages entitled, Shearon Harris Plant  
4 QC Receiving Training Program.

5 It is entitled Shearon Harris Power Plant  
6 QC Receiving Training Program that was prefiled, written  
7 date is June 18 though 21, 1979. The first page. Got  
8 it?

9 JUDGE KELLEY: Okay.

10 BY MR. EDDLEMAN: (Continuing)

11 Q Mr. Timberlake, do you have that?

12 A (Witness Timberlake) No, I don't have it yet.

13 Q Let me see if I have an extra, just for  
14 convenience.

15 A Okay, we have got it.

16 Q That is it. Now, on the -- I would request that  
17 this number 25 be marked as Eddleman 36.

18 JUDGE KELLEY: Okay.

19 (Above referenced document is  
20 marked Eddleman Exhibit No. 36  
21 for identification.)

22 BY MR. EDDLEMAN: (Continuing)

23 Q Mr. Timberlake, in the comment section of that  
24 first page, it states that AWS.D.1.1 was utilized as some  
25 kind of reference. Is that code reference?

XXXX

1 A (Witness Timberlake) I believe it is, yes.

2 Q Okay. Now, this is the training for visual weld  
3 examination for the QC receiving program, correct?

4 A That is correct.

5 Q Okay, it is an eight hour class, as listed. And  
6 on the next page we have a similar class of August 9, 1979,  
7 also using AWS D.1.1 as code reference?

8 MR. BAXTER: Mr. Chairman, the documents speak  
9 for themselves. We are just reading them again. We aren't  
10 having questions.

11 JUDGE KELLEY: Okay.

12 BY MR. EDDLEMAN: (Continuing)

13 Q Letting the document speak for itself, Mr.  
14 Timberlake would you turn over to the last page of this.  
15 I am sorry. Strike that.

16 Is AWS D.1.1 the same thing that is referenced  
17 your speed letter of February 2, 1982? Same code?

18 A It is the same code, maybe a different year  
19 reference in both places.

20 Q Do you know whether the guidelines in AWS D.1.1  
21 for measuring a skewed tee fillet welds have changed from  
22 1979 to 1981?

23 A No, I don't. I do know that they changed from  
24 1975 and '76 addenda to '77 addenda. That was part of the  
25 initial problem that we had. The '75 edition of AWS D.1.1

1 is the edition that cite structural welding is done in  
2 accordance with, and it did not clearly define skewed  
3 tee fillet weld parallel line measurement techniques,  
4 which was added in '77 edition to that document.

5 Q Well, now, the Harris plant actually wasn't  
6 under construction until 1978, was it?

7 A (Witness Hate) That is right, but we still use  
8 the 1975 Code to D.1.1, and that training that you  
9 referred to, that was done in 1979, and was probably  
10 done for the '75 version of D.1.1.

11 Q But it doesn't say which version was used does  
12 it, the '79 document?

13 A (Witness Timberlake) No, it doesn't.

14 Q Mr. Timberlake, why was it necessary to use the  
15 1981 version in the training you did in 1982?

16 A Because the figure that is used in the '81  
17 edition clearly outlines the techniques for using parallel  
18 lines in order to measure skewed tee fillet welds, and it  
19 also clearly outlines how you handle gaps and increase in  
20 fillet weld size for the same measurement. That was the  
21 edition that was chosen, and also it was clearer, and it  
22 showed the technique that the '75 edition did not show.

23 Q Was it found to be -- was the '81 edition then  
24 found to be applicable to the Harris plant?

25 A No. The discovery of the skewed tee fillet weld

1 problems and not properly measuring it came about as a result  
2 of CP&L organization seeing clearing house reports for other  
3 plants that were experiencing the same problem.

4 So, in conversations with our design organization,  
5 we discovered that we had that problem. We went out and  
6 did some investigation in the field. That is how the  
7 problem came about.

8 Q Mr. Hate, if I could ask you, do you know  
9 approximately how many weld inspectors there were who would  
10 be working with pipe hangers in the Harris Plant in first  
11 half of 1982?

12 A (Witness Hate) No, I don't.

13 Q Mr. Timberlake, if you will turn over from your  
14 speed letter here in Eddleman 35, the next page, this is  
15 a memo from you concerning a welding inspection training  
16 class that you conducted in 1982?

17 A (Witness Timberlake) You are talking about the  
18 February 2, 1982 speed letter?

19 Q Yes, sir.

20 A Okay, I have that.

21 Q Next page after that?

22 A Okay.

23 Q That is a memo concerning a class for welding  
24 inspectors that you conducted on April 7, 8, 1982?

25 A Well, the memo doesn't specifically state that

1 it is for welding inspectors.

2 Q It is a class in welding inspection, is that  
3 right?

4 A It is a class on the measurement on the skewed  
5 tee fillet welds.

6 MR. BAXTER: I think you are both looking -- I am  
7 sorry, I don't think you are looking at the same documents.  
8 The questioner and the witness.

9 Mr. Eddleman, are you looking at a typed memo  
10 of April 14, 1982?

11 MR. EDDLEMAN: Yes, I am.

12 MR. BAXTER: Mr. Timberlake is still looking at  
13 the speed letter.

14 MR. EDDLEMAN: I am sorry. I thought I referred  
15 to the next page after that.

16 MR. BAXTER: You did, but you never said what  
17 it was.

18 WITNESS TIMBERLAKE: The next page was a list  
19 of attendees.

20 BY MR. EDDLEMAN: (Continuing)

21 Q Okay, there may be a single page omitted from  
22 your copy. Can I show him the pages?

23 MR. BAXTER: He has got it, just tell him what  
24 the document is you are asking him about.

25 WITNESS TIMBERLAKE: You are talking about the

1 April 14th, 1982, typed letter from myself to Jim Trimmer?

2 MR. EDDLEMAN: Yes, sir.

3 WITNESS TIMBERLAKE: Okay, I have got that.

4 BY MR. EDDLEMAN: (Continuing)

5 Q All right. Now --

6 JUDGE KELLEY: The problem may be arising from  
7 a lack of caffeine, which we will fix in a moment.

8 MR. EDDLEMAN: May I ask him one question.

9 JUDGE KELLEY: Yes.

10 BY MR. EDDLEMAN: (Continuing)

11 Q This gives the information about that class,  
12 as stated on the letter in the attachments, doesn't it?

13 A (Witness Timberlake) That is correct.

14 Q All right. Including the length of time that  
15 was spent on it?

16 A Correct.

17 Q Okay.

18 JUDGE KELLEY: Ten minutes.

19 (Short recess taken)

20 JUDGE KELLEY: We are back on the record now.

21 MR. BARTH: Your Honor, for a moment may I raise  
22 a point of order. I was discussing the proceedings with  
23 the reporters, and it has come to my attention that the  
24 reporters have not been given three copies of each document  
25 which has been admitted into evidence with the proper number

1 put on it.

2 This was requested by the Staff, and exceeded to  
3 by Your Honor, and we had a long discussion of this at  
4 previous hearings, in which Your Honor directed that the  
5 reporter be given these copies so we can have a record that  
6 makes some sense. I have the feeling this has not been  
7 done, and I think we ought to take a look at this matter  
8 now before the record is so jumbled no one can figure it  
9 out.

10 MR. EDDLEMAN: That is correct. The reporters  
11 have brought the problem to my attention, and I am going  
12 to make sure they get the right number of copies and  
13 numbered as they should be.

14 The problem was that I didn't have them numbered  
15 when I passed them out.

16 JUDGE KELLEY: For today, so to speak, the  
17 reporter gets one properly numbered, and gets the other  
18 two by the time we break camp at the end of the hearing.  
19 Won't that be satisfactory. Don't you think so, Mr.  
20 Barth?

21 MR. BARTH: Yes, Your Honor.

22 JUDGE KELLEY: Okay. Let's operate on that  
23 basis, then.

24 MR. EDDLEMAN: Okay. I will need to borrow the  
25 transcript to check those.

1 JUDGE KELLEY: Appreciate you bringing that up,  
2 Mr. Barth.

3 BY MR. EDDLEMAN: (Continuing)

4 Q Mr. Timberlake, did I refer you to the back part  
5 of Eddleman 35, about six pages from the back, there is a  
6 speed letter from you. It has got kind of a gray line  
7 logo up at the top, and the date, I believe, is 6/5/81,  
8 Training Class for Hanger Welders.

9 A (Witness Timberlake) Yes, I have that. One  
10 held on June 4th?

11 Q Right. A one hour class, right?

12 A Okay.

13 Q And the attachments there are the matters which  
14 were covered in that class and a list of attendees?

15 A That is correct.

16 Q All right, sir. I would like to refer you to the  
17 document that is numbered 23 on the Eddleman 21 master  
18 list, which is another file SHP-1/2, Construction QA  
19 Section Personnel Training Document. It consists of four  
20 pages, the first of which is dated 12 September 1980.

21 JUDGE KELLEY: Was 35 moved in? I am not sure.

22 MR. EDDLEMAN: Not yet. I was going to move --

23 JUDGE KELLEY: All right.

24 MR. EDDLEMAN: Well, I can do it now.

25 JUDGE KELLEY: If you are passing another document,



11-9-Wal

1 that is why I questioned it. Maybe you still have questions  
2 on that; I leave it to you.

3 MR. EDDLEMAN: I do want to tie something back  
4 to it.

5 JUDGE KELLEY: Okay.

6 MR. EDDLEMAN: I would request that the September  
7 12, 1980 document, the one that the first page is that,  
8 be marked as Eddleman 37.

9 JUDGE KELLEY: This is Construction QA Section,  
10 Personnel Training, September 12, 1980, one and a half  
11 hours, Hanger Inspection and Documentation, marked as  
12 Number 37. Okay.

13 (Above referenced document is  
14 marked Eddleman Exhibit No. 37  
15 for identification.)

16 End 11  
17 MS fols.

Sim 12-1

1 BY MR. EDDLEMAN:

2 Q Do you have that?

3 A (Witness Timberlake) Yes, I do.

4 Q Okay. Was this training on September 12, 1980 in  
5 response to problems identified by the NRC inspection in early  
6 September 1980?

7 A (Witness Hate) Yes.

8 Q Okay. And as to the outline that is the next  
9 page there, in Item C-4, this reference to an RCI if a  
10 question occurs in the drawing, what does that refer to and  
11 what kind of questions would cause an RCI?

12 A RCI stands for Request for Clarification of  
13 Information. Essentially what we covered in that training  
14 course was that if somebody had a question with regards to  
15 a drawing, which would include questions on weld symbols,  
16 that they were to get that question answered before they  
17 proceeded with the inspection.

18 Q Okay. Is the RCI a controlled document?

19 A Yes, it was. We no longer use the RCI.

20 Q Was that change made as part of the adoption of  
21 the enhanced program?

22 A No, that change had nothing to do with the  
23 enhanced program.

24 Q When was that change made?

25 A (Witness Fuller) It was prior to the enhanced

Sim 12-2 1 program, but I don't know the date.

2 Q Do any of you know?

3 A (Witness Hate) No, I don't recall.

4 A (Witness Timberlake) No, I don't.

5 Q Were the matters covered in this part of the  
6 training of weld inspectors before the 1st of September 1980,  
7 to your knowledge?

8 A (Witness Hate) I am not sure I understand the  
9 question.

10 Q Were welding inspectors at the Harris plant  
11 trained in the matters covered in this outline before the  
12 1st of September 1980?

13 A I don't know.

14 Q Do any of you know?

15 A (Witness Fuller) No.

16 A (Witness Timberlake) I don't.

17 Q Let me refer to the back page of that same  
18 document which has been identified as Eddleman 37. I just  
19 want to ask you if this appears to be an accurate copy of  
20 a document describing what training was given for how long  
21 and who attended for welding inspectors.

22 A (Witness Hate) Are you talking about the outline  
23 for retraining?

24 Q No, the fourth page, 12/10/81, corporate QA/QC  
25 Section personnel training.

Sim 12-3

1 MR. BAXTER: Would you ask the question again,  
2 please?

3 BY MR. EDDLEMAN:

4 Q Does that document list personnel attending the  
5 above-described training?

6 A (Witness Fuller) Yes, at the bottom

7 A (Witness Hate) Yes.

8 Q And are those people, to any of your knowledge,  
9 weld inspectors, or were they weld inspectors working on  
10 pipe hangers at Shearon Harris?

11 A Yes.

12 Q On the first sheet, the people listed there, are  
13 they likewise people who are or were weld inspectors working  
14 on pipe hangers at Harris?

15 A Which is the first sheet you are talking about?

16 Q The first sheet of Eddleman 37, the September 12,  
17 1980 one and a half hours hanger inspection and documentation.

18 A Yes.

19 Q They are inspectors or were?

20 A Yes.

21 MR. EDDLEMAN: All right. At this time I would  
22 move the admission of Eddleman 35, 36 and 37 into evidence.

23 MR. BAXTER: No objection.

24 MR. BARTH: No objection.

25 JUDGE KELLEY: motion granted.

Sim 12-4

1 (Eddleman Exhibits 35, 36 and 37,  
2 inclusive, previously marked for  
3 identification, were received in  
4 evidence.)

INDEXXXXXXX

BY MR. EDDLEMAN:

6 Q I would like to refer to Mr. Timberlake to a  
7 document that is numbered 24 on the Eddleman 21 master list,  
8 controlled document ASME in large open block letters at the  
9 upper right, CP&L Corporate Quality Assurance Department  
10 Personnel Training and Qualification, initial issue date  
11 March 16, 1981, No. CQA-1, please.

12 A (Witness Timberlake) I have it.

13 MR. EDDLEMAN: I would request that this be  
14 marked for identification as Eddleman 38.

JUDGE KELLEY: Okay.

16 (The document referred to was  
17 marked Eddleman Exhibit No. 38  
18 for identification.)

INDEX

BY MR. EDDLEMAN:

20 Q Mr. Timberlake, or whoever on the panel can answer,  
21 this document on personnel training and qualification first  
22 issued on March 16, 1981, did requirements for personnel  
23 training and qualification for QA/QC inspectors exist in  
24 formal written form for the Harris plant before this document  
25 was initially issued?

Sim 12-5

1 A (Witness Hate) I don't know. I don't have that  
2 history.

3 Q Would all personnel inspecting pipe hanger welds  
4 at the Harris plant have had to comply with these requirements  
5 as of March 16, 1981 and afterwards?

6 A Yes.

7 Q All right. And in Appendix A, I believe it is,  
8 to this document we have a list of education experience and  
9 training requirements for various inspection and testing  
10 activities?

11 A Yes.

12 Q Okay. And those are in weeks of experience  
13 required and also in hours of classroom and is it field  
14 training?

15 A Yes, it is on-the-job training.

16 Q OJT?

17 A Yes.

18 Q That is the right column?

19 A Right.

20 MR. EDDLEMAN: At this time I would move that  
21 Eddleman 38 be admitted into evidence.

22 MR. BAXTER: No objection.

23 MR. BARTH: No objection.

24 JUDGE KELLEY: Granted.

25 (Eddleman Exhibit 38, previously

Sim 12-6

1 (marked for identification, was  
2 admitted into evidence.)

3 BY MR. EDDLEMAN:

4 Q I would like to refer you to documents Nos. 37  
5 and 38 on the Eddleman 21 master list.

6 No, 37, controlled document, Carolina Power and  
7 Light Company, Corporate Quality Assurance Department, Visual  
8 Examination of Seismic One structural and Hanger Welds for  
9 SHNPP No. NDEP-605, initial issue date, October 20th, 1982.

10 MR. EDDLEMAN: I would request that this be  
11 marked for identification as Eddleman 39.

12 JUDGE KELLEY: Okay.

13 (The document referred to was  
14 marked Eddleman Exhibit No. 39  
15 for identification.)

INDEXXXXXXX 16 MR. EDDLEMAN: And the other document, which is  
17 38 on the master list, weld control, No. CQC-19, initial  
18 issue date March 16, 1981, I would request that that be marked  
19 for identification as Eddleman 40.

20 JUDGE KELLEY: Yes.

21 (The document referred to was  
22 marked Eddleman Exhibit No. 40  
23 for identification.)

INDEX XXX 24 BY MR. EDDLEMAN:  
Ace-Federal Reporters, Inc.

25 Q Now, gentlemen, do you have both of those documents

Sim 12-7

1 available to you?

2 A (Witness Hate) Yes.

3 A (Witness Timberlake) Yes, sir.

4 Q All right. I want to ask you first about CQC-19,  
5 or Eddleman 40. This also has an initial issue date of  
6 March 16, 1981. Do any of you know whether there were  
7 formal requirements for weld control in a written form that  
8 would apply to pipe hanger welding at the Shearon Harris  
9 plant prior to March 16th, 1981?

10 A (Witness Hate) Yes, we had formal requirements.

11 Q And what were those requirements?

12 A I don't have the procedure number.

13 Q You know there were some requirements?

14 A Oh, yes.

15 Q CQC-19 is the procedure that governed the pipe  
16 hanger and some other welding prior to the recent issuance  
17 of CQC-18; is that right?

18 A That is correct, for pipe hangers.

19 Q Yes, sir. Now the pages in this document --  
20 there is a revision record given on the first two pages  
21 behind the cover sheet, and then on each page of the actual  
22 document you have got a revision number in the upper-right  
23 corner and marks down the right side noting where the revisions  
24 had taken place; is that right?

25 A Are you looking at page 2?



Sim 12-8

1 Q Well, for example, there is a revision record  
2 which has page 1 of 2 and page 2 of 2 at the top.

3 A That is right.

4 Q Then there is another page which has a number  
5 Roman (i) down toward the bottom, list of effective pages,  
6 and then you have pages 1, 2 and so on of the procedure.

7 What I am looking at is page 1, for example, or  
8 any of the actual pages of the procedure. Each of those  
9 has a revision number up toward the top right, does it not?

10 A Yes.

11 Q And those revisions would correspond to the revisions  
12 listed on the previous pages?

13 A Yes.

14 Q And the vertical bars on the right side of each  
15 page indicate what things were changed as of which revision?

16 A Yes, it shows the changes.

17 Q Now this revision that we have got here, if we  
18 look on the revision record, is Revision 12 of March 19, 1984,  
19 correct?

20 A (Witness Fuller) Yes, sir.

21 Q Now were any revisions made to this procedure  
22 between its -- well, let me ask you this.

23 Was the initial issuance of this document prompted  
24 in any way by the problems found by the NRC with pipe hanger  
25 inspection at the Harris plant?

Sim 12-9

1 A (Witness Hate) No.

2 A (Witness Fuller) I believe I can answer one of  
3 your earlier questions going back to your initial issue  
4 of CQC-19. I believe prior to that it was CQC-19, but it  
5 was worked out of a quality assurance department downtown.  
6 And, as I recall, it remained the same numbers, and it went  
7 CQC-19, Rev. 1 through whatever, and then after they changed  
8 it to the Corporate Quality Assurance Department, Engineering  
9 and Construction Quality Control Control Section, they began  
10 over again with Rev. 0 and ran it on up again.

11 So what you are seeing here is reflecting the  
12 change. You are not seeing all the previous revisions of  
13 CQC-19.

14 A (Witness Hate) And that probably applied also  
15 to CQA-1.

16 Q All right. Now in the list of effective pages  
17 on this copy of CQC-19, if I can just refer you to that,  
18 that shows the effective revision number of each of 26 pages  
19 in this document, right?

20 A (Witness Fuller) That is correct.

21 Q Okay. Now if I understood you right, there  
22 would have been an old CQC-19 issued by a different department  
23 which preceded this and had its own revision numbers ---

24 A That is correct.

25 Q --- and this would have been issued when the

Sim 12-10

1 new department was set up at Shearon Harris?

2 A I don't know all the specific details, but the  
3 gist of it is basically correct.

4 Q All right. Now when was that QA department out  
5 at the plant set up?

6 A (Witness Hate) We have always had a QA organiza-  
7 tion on site since the start of the job.

8 Q Well, when did it take over responsibility, if  
9 any of you know, for issuing these procedures?

10 A They have always been issuing procedures. What  
11 Mr. Fuller is trying to explain is that prior to 1981 they  
12 had their own site procedures, which was part of -- and this  
13 is going back in history now -- but they had their own set  
14 of procedures and then all we did was reissue the procedures  
15 under a new format. And that was probably associated at the  
16 same time that the Corporate QA Department was formed,  
17 somewhere in that period.

18 Q Okay. Then it is your gentlemen's understanding  
19 now that really a similar procedure with probably the same  
20 title actually governed these matters before the issuance  
21 of this procedure?

22 A Yes, we had a procedure for weld inspections.

23 Q All right. Now if I can refer you to Eddleman  
24 Exhibit 39, the NDEP-605, is this the NDEP-605 that you  
25 gentlemen refer to in your testimony?

Sim 12-11

A Yes.

1

Q Now this was issued initially October 20th, 1982.

2

Well, let me just see here.

3

(Pause.)

4

That is correct, isn't it?

5

A (Witness Hate) Could you repeat the question  
again?

6

Q This was initially issued October 20, 1982, this  
version?

7

A Yes.

8

Q Now is it your understanding as with CQC-19 that  
there was an NDEP-605 applicable to the Harris pipe hanger  
program before October 20, 1982, but just a different format?

9

A NDEP-605 was specifically issued as part of a  
1982 corrective action. Prior to that we had a similar pro-  
cedure which, if I recollect correctly, was NDEP-601.

10

Q What was the correction that prompted the issuance  
of this new procedure?

11

A (Witness Timberlake) I can answer that in general  
terms. NDEP-601 was a procedure that was used by the QA/QC  
organization for the inspection of pipe welds and structural  
welds, and it was initially written with inspection criteria  
primarily to cover ASME code class piping and ANSI B-3011  
piping, and was also used in a conservative manner for  
structural inspection, and I say conservative manner relative

12

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15

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Sim 12-12

1 to the discontinuities that would be allowed by 601. It  
2 was more conservative than D-11.

3 Q Does that mean that 601 had more stringent  
4 requirements for what a passing weld would have to be like?

5 A That is correct.

6 Q All right.

7 A And then 605 was written to develop an inspection  
8 procedure for structural welding and solely for structural  
9 welding.

10 Q All right. Now this gives the specific require-  
11 ments that were used for inspecting the hanger welds, but  
12 doesn't it also include seismic one structural welds?

13 A Yes, it does.

14 A (Witness Hate) Yes.

15 A (Witness Timberlake) And restraints to structural  
16 steel, et cetera, as shown in the purpose of the procedure.

17 end Sim  
18 Sue fols

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25

#13-1-SueT

1 Q But it was the problem with pipe hangers that  
2 prompted the issuance of the procedure; is that right?

3 A (Witness Hate) Yes, that was part of the cor-  
4 rective action.

5 Q Then, was the problem that too many of the pipe  
6 hanger welds were being rejected by the stricter criteria?

7 A Not necessarily. It was a matter of making sure  
8 that we very clearly defined the criteria to our inspection  
9 personnel.

10 Q Well, the criteria of 601 had been in place for  
11 some years, had they not?

12 A Yes. But like Mr. Timberlake explained, that 601  
13 was more oriented towards pipe than structural steel.

14 MR. EDDLEMAN: Okay. At this time I would move  
15 that Eddleman 39 and Eddleman 40 be admitted into evidence.

16 MR. BAXTER: No objection.

17 MR. BARTH: No objection.

18 JUDGE KELLEY: Granted.

19 (The documents previously marked  
20 as Eddleman Exhibits 39 and 40,  
21 respectively, for Identification  
22 are received in evidence as  
23 Eddleman Exhibits 39 and 40,  
24 respectively.)

25 BY MR. EDDLEMAN: (Continuing)

DEXXXX

#13-2-SueT

1 Q Gentlemen, I would like to refer you to what turns  
2 out to be Documents 42 and 43 of the Eddleman 21 master list,  
3 down at the bottom of Page 3; they are stapled together, and  
4 the top one is an October 3, 1983 letter from Parsons of the  
5 Shearon Harris Plant to O'Reilly of NRC, Region II, with the  
6 Number NRC-127 toward the top right.

7 JUDGE KELLEY: Would you say that again?

8 MR. EDDLEMAN: NRC-127 of October 3rd, 1983,  
9 P. O. Box 101, New Hill, North Carolina up at the top.

10 JUDGE KELLEY: I'm sorry, Mr. Eddleman, one more  
11 time.

12 MR. EDDLEMAN: October 3rd, 1983, Number NRC-127,  
13 a letter from Parsons to O'Reilly. Okay. That's Number 42  
14 on the master list, and then attached to it is FCR AS-4294,  
15 which is Document 43 on the master list.

16 JUDGE KELLEY: Okay.

17 MR. EDDLEMAN: I would request that these, in  
18 combination, be marked Eddleman 41 as they are stapled to-  
19 gether here.

20 MR. BAXTER: They don't have anything to do with  
21 each other. They may be stapled together, but they --

22 JUDGE KELLEY: If the documents aren't related,  
23 I suggest we give them different numbers.

24 MR. EDDLEMAN: Well, we can separate them and  
25 mark the NRC-127 letter as 41, and the FCR AS 4294 as 42.

#13-3-SueT

1 I find that perfectly agreeable.

2 JUDGE KELLEY: 126, right. You said 127?

3 MR. EDDLEMAN: It doesn't start with 126. The one  
4 that starts with 126 is a different document, Judge.

5 JUDGE KELLEY: Okay.

6 MR. EDDLEMAN: All right. I would request that the  
7 NRC-127 letter and attachments be marked as Eddleman 41; and,  
8 the FCR AS-4294 be marked as Eddleman 42.

9 JUDGE KELLEY: Okay.

10 MR. BARTH: It must have been my lack of attention.  
11 I did not catch the 41. If we could have that again.12 MR. EDDLEMAN: NRC-127, letter from Parsons to  
13 O'Reilly, dated October 3rd, 1983.

14 MR. BARTH: I don't have any NRC-127 letter.

15 MR. EDDLEMAN: Let me see if I can find a spare.

16 JUDGE KELLEY: It's in the set I got from you, Mr.  
17 Barth. 126 was on top and then 127.18 MR. BARTH: Thank you, Your Honor. I must have it  
19 somewhere. We found it. Thank you, Your Honor.20 (The documents referred to above  
21 were marked as Eddleman Exhibits  
22 41 and 42, respectively, for  
23 Identification.)

24 BY MR. EDDLEMAN: (Continuing)

25 Q Now, first with reference to the NRC-127 letter,

INDEXXXXXXX



#13-4-SueT 1 this refers to a second interm report under 10 CFR-50.55(e)  
2 which I believe we discussed a good bit yesterday.

3 I would like to refer you to the interim report at  
4 the bottom of the page. That gives the reasons why these  
5 Items 96 and 72 were reportable under 50.55(e), as due to  
6 extensive -- the extensive evaluation required and the break-  
7 down in the QA program, correct?

8 A (Witness Fuller) That's correct.

9 Q All right. Now, the preventive measures listed  
10 on the next page include the development and issuance of  
11 QCI-19.3, correct?

12 A That's correct.

13 Q Additional training classes --

14 MR. BAXTER: Mr. Chairman, again we are reading  
15 documents.

16 MR. EDDLEMAN: Okay. Let me just ask this.

17 BY MR. EDDLEMAN: (Continuing)

18 Q This is dated late October 1983. To your knowledge,  
19 gentlemen, were these preventive measures that are listed here  
20 on the third and fourth pages of this interim report, were  
21 they the ones that were in fact being implemented or had been  
22 implemented as of early October 1983?

23 A Had been implemented.

24 Q Had been implemented? Okay.

25 MR. BAXTER: Mr. Eddleman, this same letter is

#13-5-SueT

1 your Exhibit 22 from yesterday.

2 MR. EDDLEMAN: I didn't realize it was the same.

3 MR. BAXTER: I mean, the same items. The same two  
4 items are addressed. It's an earlier version.5 MR. EDDLEMAN: Well, it's a different -- this is a  
6 different version. I think this is the second interim report;  
7 is that right?

8 MR. BAXTER: Yes.

9 MR. EDDLEMAN: Okay. At this time, I would move  
10 the admission of Eddleman 41 into evidence.

11 MR. BAXTER: No objection.

12 MR. BARTH: No objection, Your Honor.

13 JUDGE KELLEY: Granted.

14 (The document previously marked as  
15 Eddleman Exhibit 41 for Identifi-  
16 cation is received into evidence  
17 as Eddleman Exhibit 41.)

18 BY MR. EDDLEMAN: (Continuing)

19 Q Let me refer you gentlemen to Eddleman 42, the  
20 FCR AS-4294. Now, this is a -- was this change in weld in-  
21 spection criteria generated under the enhanced hanger re-  
22 inspection program?

23 A (Witness Nevill) No, sir.

24 Q Well, what was the reason why this change in the  
25 weld inspection criteria was generated?

INDEXXXX

#13-6-SueT

1           A       This particular change was done on site purely for  
2 clarification of wording. There was no change to the criteria,  
3 is what I mean.

4           Q       On the attachment page, titled 1.0 scope, of this  
5 field change request, down at the bottom, it says the visual  
6 inspection of welds shall be in accordance with AWS D.1.1  
7 except as modified below, correct?

8           A       Yes, sir.

9           Q       Okay. Then, the acceptability criteria listed on  
10 Pages 2 through 5 attached, which I believe are marked Page 4  
11 of 7 through Page 7 of 7 up in the upper right corner, is  
12 that right?

13          A       Yes, sir.

14          Q       Okay. And are these the same criteria that were  
15 used prior to the establishment of the enhanced hanger in-  
16 spection program?

17          A       Now, let's see. Let me try to relate the question.  
18 This particular document was issued, you know, purely to  
19 consolidate the acceptance criteria that we used. Now, it  
20 relates from the FCR-H-979 --

21          Q       That we discussed earlier?

22          A       Yes, sir. Yes, sir. So this would be more or less  
23 just a continuation process, not related to the enhanced  
24 program.

25          Q       Well, do I take it then that the enhanced program

#13-7-Suet1

1 is not part of the corrective action for the matters that we  
2 discussed in the NRC-127 letter we were just going over?

3 A (Witness Fuller) That's correct. The enhanced  
4 program is not part of the corrective action of NRC-127  
5 that we just discussed.

6 Q Okay. It corrects other things; is that right?

7 A The enhanced program?

8 Q Yes.

9 A Yes.

10 MR. EDDLEMAN: All right. At this time, I would  
11 move Eddleman Exhibit 42 into evidence.

12 MR. BAXTER: No objection.

13 JUDGE KELLEY: Granted.

14 (The document referred to above and  
15 marked Eddleman Exhibit 42 for  
16 Identification is received into  
17 evidence as Eddleman Exhibit 42.)

INDEXXXXXX

18 MR. EDDLEMAN: Thank you.

19 BY MR. EDDLEMAN: (Continuing)

20 Q Gentlemen, I would like to refer you to Document  
21 Number 22 on the master list --

22 MR. EDDLEMAN: I can't recall. I think we had  
23 some discussion about marking this one and decided not to  
24 earlier on. Is that --

25 JUDGE KELLEY: Which one is it? Let's go off the

#13-8-SueT

1 record.

2 (An off-the-record discussion ensues.)

3 JUDGE KELLEY: All right.

4 MR. EDDLEMAN: Okay. I would request that this  
5 be marked as Eddleman 43.

6 JUDGE KELLEY: Okay.

7 (The above-referred to document is  
8 marked as Eddleman Exhibit Number  
9 43 for Identification.)

INDEXXXXX

10 BY MR. EDDLEMAN: (Continuing)

11 Q I would like to refer you gentlemen to the Appendix  
12 A, notice of violation. These are two violations concerning  
13 weld inspections at the Harris Plant on pipe hangers, correct?

14 A (Witness Nevill) That's correct.

15 Q Okay. And the attachment gives the NRC's details  
16 of investigation concerning this problem?

17 A (Witness Fuller) That's correct.

18 Q Actually, there is more than one problem, but  
19 those problems, right?20 A Those were the two items that were on the notice  
21 of violation.22 Q And, then there is also attached an Enclosure 1  
23 which includes among other things some inspections of hanger  
24 welds, is it not?

25 MR. BARTH: Objection, Your Honor. Mr. Baxter and

#13-9-SueT

1 I have continually pointed out, we are just reading this thing  
2 back and forth.

3 JUDGE KELLEY: I think there is sometimes a fine  
4 line between reading and identifying. And I think here we  
5 are trying to establish what's going to be referred to.

6 We will allow that.

7 BY MR. EDDLEMAN: (Continuing)

8 Q There is an Enclosure 1 in this document further  
9 back that describes some inspections of hanger welds among  
10 other things?

11 A (Witness Fuller) That's correct.

12 Q Okay. On Page 2 of that Enclosure 1, Item D, down  
13 in the second paragraph, it talks about Region II's conclu-  
14 sion that a larger sample of -- it says pipe welds.

15 Let me ask you this. Does Item D there, to your  
16 knowledge, refer to the problems with the inspection of hanger  
17 welds?

18 A I believe it's pipe welds.

19 Q Okay. Let me see if I can find the --

20 (Pause.)

21 Okay. Let me ask you this. The problems with the  
22 weld inspection that are documented in this report occurred  
23 despite previous discovery of problems with weld inspection  
24 by both the NRC Staff and CP&L's own QA people, correct?

25 A That's correct.

#13-10-SueT1

Q And did this discovery of this problem trigger  
2 further reinspections of pipe hangers -- of these problems,  
3 pardon me, trigger further reinspections of pipe hangers at  
4 the Shearon Harris Plant?

5 A I believe the hangers were reinspected as a result  
6 of this.

7 (Witness Hate) We did look at certain hangers.

8 Q Which hangers? Do you recall?

9 A The ones that the inspector was involved in.

10 MR. EDDLEMAN: Okay. At this time, I would move  
11 that Eddleman 43 be admitted into evidence.

12 MR. BAXTER: We would have no objection if the  
13 record is also supplemented with the Company's response to  
14 the notice of violation.

15 MR. EDDLEMAN: I have no objection to that.

16 MR. BAXTER: We will provide that later today.

17 JUDGE KELLEY: On that basis, granted.

18 (The document previously marked as  
19 Eddleman Exhibit Number 43 for  
20 Identification is received into  
21 evidence as Eddleman Exhibit  
22 Number 43.)

23 I EXXXXX

24 end #13  
25 Joe flws

1           Q     Gentlemen, I would like to refer you to Item 31  
2     on the master list on page 2. It is Field Change Request,  
3     Permanent Waiver, PWAS 414, consisting of six pages.  
4     It is up, near the upper right corner, you have Field  
5     Change Request, Permanent Waiver Form, then it has AP-IX-05,  
6     Exhibit 1, and then down under that is the -- this was  
7     prefiled.

8           JUDGE KELLEY: Your number again?

9           MR. EDDLEMAN: PWAS-414. It appears on looking  
10    at this that we have got a reproduction error, and actually  
11    have two of the same thing together. It is only three  
12    sheets, one of which is the front and back of the first  
13    sheet.

14           I request that this be marked for identification  
15    as Eddleman 44.

16           MR. BAXTER: I would like to point out at this  
17    stage that my information is that this permanent waiver  
18    has no relevance to pipe hanger welds.

19           JUDGE KELLEY: It has six pages, is that right,  
20    Mr. Eddleman?

21           MR. EDDLEMAN: Yes, and I believe they are  
22    actually duplicative.

23           JUDGE KELLEY: It looks that way. Three pages,  
24    really.

25           MR. EDDLEMAN: Three pages.



1 JUDGE KELLEY: Now, Mr. Baxter's point was whether  
2 these relate to pipe hangers. Could you put that to the  
3 witnesses.

4 MR. EDDLEMAN: Sure. No objection.

5 JUDGE KELLEY: Mr. Fuller, or whoever --

6 WITNESS FULLER: It doesn't.

7 JUDGE KELLEY: Does or does not?

8 WITNESS FULLER: Does not.

9 JUDGE KELLEY: Does not relate to pipe. What  
10 does it relate to?

11 WITNESS FULLER: It is either electrical or  
12 HVAC hangers.

13 BY MR. EDDLEMAN: (Continuing)

14 Q Now, I want to be kind of clear on the record.  
15 I am not going to pursue this at this point, but I still  
16 maintain that a hanger is a hanger is a hanger.

17 JUDGE KELLEY: You mean whether it hangs a  
18 pipe or not?

19 MR. EDDLEMAN: Yes, sir.

20 JUDGE KELLEY: Okay. Your position is understood,  
21 but I don't think the Board agrees with you.

22 BY MR. EDDLEMAN: (Continuing)

23 Q Gentleman, if we could refer to documents No --

24 JUDGE KELLEY: Where are we here. It has not  
25 been demonstrated that it is --

1 MR. EDDLEMAN: I will withdraw the marking.

2 Eddleman 44 will be whatever the next one is.

3 JUDGE KELLEY: All right.

4 MR. EDDLEMAN: I would request that that marking,  
5 Eddleman 44, be applied to Shearon Harris Plant General  
6 welding Procedure, MPO-8, General Welding Procedure for  
7 Structural Steel, Seismic, Non-Seismic and Hangers.  
8 Latest revision, April 27, 1984. That is document 36.

9 JUDGE KELLEY: What does that look like.  
10 Off the record.

11 (Off the record discussion ensues)

12 MR. EDDLEMAN: I would at the same time request  
13 that General Welding Procedure MP-10, Repair of Base  
14 Materials and Weldments, which is Item 39, on the typewritten  
15 Eddleman 21 list, be marked for Identification as Eddleman  
16 45.

17 JUDGE KELLEY: These are 44 and 45, respectively?

18 MR. EDDLEMAN: Yes, sir.

19 JUDGE KELLEY: Right. Okay.

XXX INDEX

20 (The above referred to documents  
21 are marked Eddleman Exhibits 44  
22 and 45, respectively, for  
23 identification.)

24 BY MR. EDDLEMAN: (Continuing)

25 Q Gentlemen, do you have those?

1 A (Simultaneously) Yes, we do.

2 Q Okay. Is the procedure MP-10, or Eddleman 45,  
3 the one that governs repairs to pipe hanger welds where an  
4 inspector finds that the weld had not been made properly  
5 in the first place?

6 A (Witness Fuller) That is correct.

7 Q Would the inspector normally observe the repair  
8 process to make sure that this procedure is being followed?

9 A Not necessarily, no.

10 Q All right. They are not prohibited from it, but  
11 they are not required to do it, is that right?

12 A They are certainly not prohibited from it, but  
13 they are not required to do it either.

14 Q Okay.

15 A (Witness Hate) They may monitor the process.

16 Q All right. I would like to refer you to page 6  
17 of 31 of this same document.

18 A (Witness Fuller) Okay.

19 Q Oops, take it back. This appears to be pipe  
20 welding instead of hangers.

21 A This procedure, Mr. Eddleman, does pertain to  
22 structural welding, as well as pipe welds.

23 Q Well, would the requirement for a new WDR whenever  
24 the completed weld joint had to be cut out apply to a pipe  
25 hanger?

1           A     No, it would not.  If you will look on page 6,  
2 paragraph 3.3.2, about half way down the paragraph, it  
3 explains that:  It shall not be necessary  to generate  
4 a new WDR, et cetera.

5           Q     Okay.  And that is what applies to the pipe  
6 hanger.

7           A     That is correct.

8           Q     Okay.  Now, do the requirements for repair of  
9 weld metal defects on page 13 of 31, this document, do  
10 those apply to pipe hangers?

11          A     No, they do not.

12          Q     What requirements for repair of surface defects  
13 are there for the pipe hanger welds?

14          A     If you will look on page 22, it starts with  
15 paragraph 4.7.

16          Q     Okay.  So, the hanger being considered a seismic  
17 Class 1 structure.

18          A     That is correct.

19          Q     All right.  And does that whole section 4.7 apply  
20 to the pipe hangers?

21          A     As well as other structural components at the  
22 Harris site.

23                   MR. EDDLEMAN: Okay.  At this time I request  
24 that Eddleman 45 be admitted into evidence.

25                   MR. BAXTER:  No objection.

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JUDGE KELLEY: Granted.

(Eddleman Exhibit 45, previously marked for identification, is received in evidence.)

MR. EDDLEMAN: As to Eddleman 44, the general welding procedure, MPO-8, this is Revision 8 of 1984, and Revision 0 began in November of '79, correct?

WITNESS FULLER: That is correct.

BY MR. EDDLEMAN: (Continuing)

Q Prior to November 9, 1979, was there a welding procedure in writing for the Harris Plant governing the welding on seismic pipe hangers?

A (Witness Fuller) It would have been under MPO-6.

Q And what is MPO-6?

A It is general welding procedure for welding of carbon steel weldments, I believe is its title.

Q And this MPO-8 is specifically restricted to structural steel and hangers?

A That is correct.

Q Okay. The requirements of this procedure are the same for seismic and non-seismic hangers?

A That is correct. There are some minor differences in the procedure, such as inspection organizations are different for seismic and non-seismic components, but that is clearly spelled out in the procedure.

1 Q Okay. I hadn't asked you this about Eddleman 45,  
2 but as to the repair procedures, do those apply equally  
3 to seismic and non-seismic hangers, the ones that we  
4 discussed just a moment ago?

5 A That is correct.

6 Q All right. Are you gentlemen familiar with any  
7 problems of welds being made outside of procedure on pipe  
8 hangers at the Harris Plant, and still being approved on  
9 inspection?

10 MR. BAXTER: I am sorry, Mr. Eddleman. Could  
11 you give me that again?

12 BY MR. EDDLEMAN: (Continuing)

13 Q Are you gentlemen familiar with any problems of  
14 welds being made outside of this procedure on pipe hangers  
15 at the Harris Plant and still being approved upon  
16 inspection?

17 MR. BARTH: Objection, Your Honor. There is  
18 no foundation for the question. It presupposed that there  
19 are welds made outside the procedures, and those welds are  
20 approved. There is no foundation for the question what-  
21 soever. I object to it, Your Honor.

22 JUDGE KELLEY: Response?

23 MR. EDDLEMAN: Well, I think that they are required  
24 to do welding in accordance with the procedure. That is  
25 what the witnesses said.

1 JUDGE KELLEY: Sure.

2 MR. EDDLEMAN: I want to know do they know  
3 anything about welds being made outside of this procedure  
4 getting approved.

5 MR. BARTH: That was not the question, Your  
6 Honor.

7 JUDGE KELLEY: Well, we are sort of working our  
8 way around it. I think the question is too general myself.  
9 There are hundreds of thousands of welds made outside of  
10 procedure at any nuclear power plant, -- are you talking  
11 about pipe hanger welds?

12 MR. EDDLEMAN: Pipe hanger welds, yes, Judge.

13 JUDGE KELLEY: What kind of outside of procedures.  
14 What have you got in mind?

15 MR. EDDLEMAN: Well, unfortunately, I will have  
16 to back up and start through with the INPO audit to get  
17 to that. I can do that.

18 JUDGE KELLEY: Which I understand doesn't  
19 exist. I mean, they made this trip and then walked around  
20 and made notes, but we don't have any such paper, do we?

21 MR. EDDLEMAN: Well, I understand that there  
22 were some results of it, and I have been informed as to  
23 what those results allegedly were, and they include some  
24 things that would affect welding in Harris.

25 JUDGE KELLEY: Mr. Barth's objection to the

1 pending question was that there wasn't any foundation for  
2 it, and I think that is a fair enough observation here.

3 If you want to pursue this line of how good the  
4 inspections are, which I gather is what it relates to, I  
5 think you can start off in a somewhat more concrete way  
6 than this.

7 MR. EDDLEMAN: All right. Let me try this.

8 BY MR. EDDLEMAN: (Continuing)

9 Q Gentlemen, are any of you familiar with an INPO  
10 audit of the Harris Plant that took place approximately  
11 September of this year?

12 A (Witness Fuller) Yes.

13 Q Did any of you attend any exit interviews or  
14 other meetings with the people conducting the audit in  
15 which they expressed concerns about welds being done  
16 outside of procedure?

17 A (Witness Fuller) I didn't attend the exit.

18 MR. BAXTER: Let's ask first if anybody was  
19 at the exit, rather than saying the exit, where they  
20 determined there were welds out of procedure.

21 MR. BARTH: That really presupposes too much,  
22 Your Honor.

23 MR. EDDLEMAN: I am perfectly willing to ask  
24 it they way they want.

25 JUDGE KELLEY: All right.



1 BY MR. EDDLEMAN: (Continuing)

2 Q Did any of you gentlemen attend an exit interview  
3 or otherwise meet with the people conducting this  
4 inspection after they had done it?

5 A (Simultaneously) No.

6 Q Were any of you gentlemen present at a meeting  
7 in which welders and welding foremen were informed that  
8 the INPO audit had revealed that there were welds being  
9 done outside procedure at the Harris Plant?

10 MR. BARTH: Objection. The most rank kind of  
11 hearsay that I have ever heard in 12 years with the Agency,  
12 Your Honor. This really goes pretty far. It is rank  
13 hearsay, and it is libal against these people, with no  
14 foundation to offer the question. The question could be  
15 asked properly, but it certainly has not.

16 JUDGE KELLEY: I think what we are trying to get  
17 at here is whether they particûlar witnesses at least have  
18 any first hand, or if not first hand, what they would --  
19 what we would regard as reliable information about this  
20 matter, correct?

21 MR. EDDLEMAN: That is right.

22 JUDGE KELLEY: Okay. Let's see if we can establish  
23 that first.

24 BY MR. EDDLEMAN: (Continuing)

25 Q Do you gentlemen know if there have been any

1 meetings at the Shearon Harris Plant, say, after August of  
2 this year, in which welders or welding foremen, or both,  
3 were warned not to make any more welds outside of procedure?

4 MR. BARTH: Objection again, Your Honor, because  
5 it --

6 JUDGE KELLEY: Mr. Barth, let me just try this  
7 here.

8 MR. EDDLEMAN: I basically was informed by a  
9 person who said they witnessed some of this stuff but  
10 didn't want to be identified, and told me some things that  
11 happened. That is what I am asking about. Do these people  
12 know if that happened or not.

13 I don't think I have to have evidence of it  
14 to ask about it.

15 JUDGE KELLEY: Not necessarily evidence in the  
16 narrow sense, but still, what we are after -- I will tell  
17 you quite frankly, I think pursuing the INPO Report in this  
18 context is a waste of time. From what I know about it,  
19 I gather from what I have been told, if I can be corrected,  
20 that this INPO team came to the site not very long ago and  
21 went around the site and talked to a lot of people, and  
22 looked at a lot of records, and went back home, and they  
23 are going to go and write a report some day, and then it  
24 will be available.

25 But as of now, pursuing the INPO report that

1 isn't a report, it doesn't exist, doesn't seem very  
2 productive.

3 If it is something short of that, something  
4 somebody said to somebody else that we don't know much  
5 about, once again, it doesn't seem to be much basis for  
6 it, and I think you would have to establish some basis,  
7 at least through these witnesses, some basis that they  
8 have to talk about it, and if they don't have any basis  
9 for talking about it, then they are the wrong people to  
10 ask.

11 MR. EDDLEMAN: All right. I think you are right  
12 about the report itself. What I am trying to get at is  
13 some fallout from it as I was informed.

14 BY MR. EDDLEMAN: (Continuing)

15 Q When there is a meeting of the welders and foremen  
16 at the Harris Plant to instruct them as to proper procedures  
17 about pipe hangers, or to inform them of policy for construction  
18 of these pipe hangers, would any of you gentlemen normally  
19 attend such a meeting?

20 MR. BAXTER: Did you mean the welding of the  
21 pipe hangers, or the construction of the pipe hangers.

22 MR. EDDLEMAN: Welding.

23 WITNESS FULLER: I generally would not.

24

Sim 15-1

1 A (Witness Fuller) Neither would I.

2 A (Witness Hate) I would not.

3 A (Witness Timberlake) If you are referring to the  
4 ongoing welder training program where they would be instructed  
5 on procedural requirements, then I might be in attendance.

6 If you are talking about policy matters coming  
7 from craft management, I would not normally be in attendance.

8 Q All right. And, Mr. Timberlake, have you been  
9 present at any meeting or been instructed to carry out further  
10 training as to making sure that welding on pipe hangers  
11 at Harris is done within applicable procedures since about  
12 the 1st of September of this year?

13 MR. BAXTER: Mr. Chairman, Mr. Timberlake has  
14 testified that he has been involved for years in training  
15 welders on welding within procedures, applicable site  
16 procedures. I don't understand the question have you ever  
17 been in a meeting or been instructed since September to  
18 do what the evidence shows you have been doing for the last  
19 three years.

20 MR. EDDLEMAN: Well, I mean has he received any  
21 additional instruction in a meeting or otherwise since  
22 the 1st of September.

23 MR. BARTH: The question is too general, Your  
24 Honor. Addition over what? Mr. Hate has testified that they  
25 have ongoing training programs to teach these people what

Sim 15-2

1 to do and do it right. He has asked this man have you had  
2 instructions to teach programs on how to do them right. We  
3 have already got testimony on that. It is repetitious and  
4 we object.

5 JUDGE KELLEY: The Board agrees with Mr. Barth's  
6 observation about the question being too general, and this  
7 is the reason. They always have to weld within procedures,  
8 and there is nothing new about that. Just as such as the  
9 sun rises tomorrow, they are supposed to weld within procedure,  
10 doesn't tell you anything to ask that question.

11 If you can narrow it to some specific procedure,  
12 some new problem that has arisen, then that might be meaningful.  
13 But just to ask about welding within procedures we think is  
14 not meaningful. So we will sustain the objection.

15 MR. EDDLEMAN: All right.

16 BY MR. EDDLEMAN:

17 Q Are any of you gentlemen aware of a meeting in  
18 September of 1984 in which the welding craft were instructed  
19 that all welding outside of procedure had to come to an end  
20 because INPO had raised problems with that at the Harris  
21 plant?

22 MR. BARTH: Objection, Your Honor. It is the  
23 same objection we have made half a dozen times before. It  
24 presupposes facts in evidence. There is no foundation for  
25 this question whatsoever.

Sim 15-3 1 I am aware that Mr. Eddleman is not a lawyer and  
2 that perhaps with legal training he could ask the question  
3 with three or four foundation questions correctly, but it  
4 has not been done.

5 There is no basis to presuppose and to put in  
6 this record that INPO found anything wrong. I object, Your  
7 Honor, and I think it goes beyond the purview of your previous  
8 instructions that at this juncture to challenge INPO to bring  
9 it up does not seem fruitful.

10 JUDGE KELLEY: Well, that is one aspect, but I  
11 think what I just got through saying was if you want to ask  
12 about a specific problem, as about it, but if all you are  
13 going to ask about is whether INPO told people not to weld  
14 outside of procedures, again, Mr. Eddleman, that is not going  
15 to get us anywhere. We are always told not to weld outside  
16 of procedures.

17 So I will sustain the objection. Now, frankly,  
18 if all you have got is some hearsay that somebody told you  
19 somebody did something after the INPO people left, and that  
20 is all you have got as a basis for this question, then maybe  
21 you are better off just dropping it. Otherwise, we will  
22 sustain the objections as appropriate.

23 MR. EDDLEMAN: Well, let me try to explain as  
24 much as I can. I was informed that they had a meeting where  
25 they called in all the general foremen, the foremen and all

Sim 15-4

1 the craft people and told them in no uncertain terms that  
2 INPO had found problems with this, and I am saying what I  
3 was told was said, and that they were to stop welding outside  
4 of procedure. And I was told further that some people  
5 raised a question of what if our foreman tells us to weld  
6 outside of procedure and we refuse obeying your order. So  
7 how are you going to make sure that we don't get fired  
8 ostensibly for some other reason on account of that. That  
9 is what I was told.

10 MR. BARTH: I move to strike Mr. Eddleman's remarks  
11 as highly inappropriate.

12 MR. BAXTER: I join, Mr. Chairman. This isn't  
13 appropriate for a representative of a party to be coming  
14 here and reguiling the Board with what he was told somewhere.  
15 It is not evidence and it shouldn't be here.

16 MR. EDDLEMAN: I am just trying to explain the  
17 factual basis for my question. I have got to protect the  
18 source and I can't do much better than that.

19 JUDGE KELLEY: Well, there are other ways to  
20 protect sources. There are such things as In Camera hearings  
21 and various other things.

22 For you to come in here with a confidential  
23 nameless source and say something like this which, incidentally,  
24 I still don't think gets you anywhere, once again you are  
25 saying that the message is weld inside procedures. There

Sim 15-5

1 is nothing new about that. That doesn't prove anything. It  
2 is almost irrelevant.

3 If you are getting into a foreman override case,  
4 we did that down the road, you know, last month, and that  
5 is kind of new here, too, it seems. That is the first we  
6 have heard about that.

7 Lacking a witness and lacking some better way  
8 to raise this, the objection is sustained. Move on to the  
9 next subject.

10 MR. EDDLEMAN: All right.

11 At this time I would request that Eddleman 44,  
12 the general welding procedure applicable to the hangers, be  
13 admitted into evidence.

14 MR. BAXTER: No objection.

15 MR. BARTH: No objection, Your Honor.

16 JUDGE KELLEY: Granted.

17 (Eddleman Exhibit No. 44, previously  
18 marked for identification, was  
19 admitted into evidence.)

20 BY MR. EDDLEMAN:

21 Q Gentlemen, I would like to refer you to a packet  
22 of corrective action and disposition of hanger reinspection  
23 reports. I believe it is Item No. 86 of the master list.  
24 It begins with HR-030.

25 JUDGE KELLEY: Let me check on the status again

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Sim 15-6

1 as we approach 4. Are you going to make 4, Mr. Eddleman?

2 MR. EDDLEMAN: I might need 4:15, but I won't  
3 go beyond that.

4 JUDGE KELLEY: Well, let's take a short break  
5 then, but then finish up 15 or 20 minutes after we get back.

6 Take 10 minutes.

7 MR. EDDLEMAN: I will try.

8 (Recess.)

9 JUDGE KELLEY: Back on the record.

10 Mr. Eddleman can resume his cross.

11 MR. EDDLEMAN: I would like to request that  
12 some documents be marked for identification.

13 I would like to mark as Eddleman 46 a letter,  
14 NRC-126 of October 3, 1983. Now I see what the problem was  
15 with that.

16 JUDGE KELLEY: Okay.

17 (The document referred to was  
18 marked Eddleman Exhibit No. 46  
19 for identification.)

20 MR. EDDLEMAN: And as Eddleman 47 ---

21 MR. BARTH: Which number on our list that is now  
22 your list, Mr. Eddleman, is that?

23 MR. EDDLEMAN: It is No. 41 on the list and it  
24 was marked just 46.

25 JUDGE KELLEY: This is NRC-126, October 3?

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Sim 15-7

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MR. EDDLEMAN: That is correct.

JUDGE KELLEY: And this is ---

MR. EDDLEMAN: A letter and attachment.

JUDGE KELLEY: Six pages total?

MR. EDDLEMAN: Right.

JUDGE KELLEY: Okay.

MR. EDDLEMAN: I would request that the inspection report 50-400 83-25 of October 19, 1983, and it has got kind of a black slash from the way it was copied up at the right, and it was handed out this morning, I would like to have that marked as Eddleman 47.

(Pause.)

JUDGE KELLEY: What is that number again, if you will?

MR. EDDLEMAN: 50-400 and 83-25 and also 50-401 and 83-25.

MR. BARTH: May we have just a moment while we look for these, please.

(Pause.)

Your Honor, as a preliminary matter we would object to the 83-25. That is Exhibit No. 6 of Joint Intervenors already which is in evidence. And as we look at the rest of them, who knows!

MR. EDDLEMAN: I didn't know that was a Joint Intervenor exhibit.

Sim 15-8

1 MR. BARTH: It pays to talk to your cohorts.

2 (Pause.)

3 (The transcript page is 2889 for Inspection Report  
4 83-25.

5 MR. EDDLEMAN: No problem. That is Joint  
6 Intervenors Exhibit what?

7 MR. BARTH: Six.

8 MR. EDDLEMAN: Okay. So I don't have to get that  
9 one marked.

10 JUDGE KELLEY: Just a minute now. Let me just  
11 raise a question. Just because that particular report is  
12 in evidence on another contention doesn't mean it is in  
13 evidence on this contention, does it?

14 MR. BARTH: It is one record, Your Honor.

15 JUDGE KELLEY: Oh, well, but wait. We allow in  
16 exhibits based on what the issue is. When we let that report  
17 back in in September on management we weren't thinking much  
18 about pipe hangers.

19 MR. EDDLEMAN: Judge, I think that is right, but  
20 I think I can establish by questioning that this thing has  
21 relation to pipe hangers, and I haven't moved that it be  
22 admitted yet. I was just trying to get these things marked  
23 so I could go through it a little more expeditiously with  
24 questions.

25 JUDGE KELLEY: Well, we can reach the question

Sim 15-9

1 I am raising I guess as and when you move it in. But I am  
2 simply saying I don't assume because some exhibit got in on  
3 another issue that is in for equal purposes on this issue.  
4 I am perfectly willing to hear counsel on the point, but it  
5 doesn't seem obvious to me.

6 MR. EDDLEMAN: Well, I haven't raised that point  
7 or question.

8 JUDGE KELLEY: You marked 46. Okay, what was  
9 proposed as 47? Is that 83-25?

10 MR. EDDLEMAN: Well, that was going to be 47,  
11 but I would amend that.

12 JUDGE KELLEY: Okay.

13 MR. EDDLEMAN: Applicants yesterday kindly supplied  
14 me with the missing unnumbered second page of the attachment  
15 to the NRC-196 letter.

16 JUDGE KELLEY: The 196 letter.

17 (Pause.)

18 And the 196 letter, could you give us a little  
19 fuller description of that?

20 MR. EDDLEMAN: I am trying to find where it is  
21 in the document list, if I can do that.

22 (Pause.)

23 Yes, I can. It is Item 53 of the Eddleman 21  
24 document list. And I would request that just that letter,  
25 that Item 53 and attachment be marked as Eddleman 47.

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JUDGE KELLEY: It is dated when? Give me a little bit more description so we can find it.

MR. EDDLEMAN: March 21, 1984. I handed out some copies this morning that I made up or had made up, and it has some instructions to block out some messy looking stuff up towards the top of it, although I think I have gotten all the words out of it.

(Pause.)

JUDGE KELLEY: We are floundering. Again now ---

MR. EDDLEMAN: May I show it to you?

JUDGE KELLEY: Yes, please do.

(The document referred to was shown by Mr. Eddleman to Judge Kelley.)

JUDGE KELLEY: All right, we have got it now. Thank you.

You want to mark that as 47, right?

MR. EDDLEMAN: Yes, sir.

JUDGE KELLEY: Okay.

(The document referred to was marked Eddleman Exhibit No. 47 for identification.)

MR. BARTH: Your Honor, subject to further checking, I would object because I had in my notes that that was marked as Eddleman Exhibit No. 27 for identification.

MR. EDDLEMAN: No, only part of the attachment

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Sim 15-11

1 there was marked as Eddleman 27. The part here that is  
2 being marked as 47 is part of the front.

3 MR. BARTH: Thank you. I understand now,  
4 Mr. Eddleman.

5 MR. EDDLEMAN: And I would request that document  
6 No. 72 of the Eddleman 21 master list consisting of a single  
7 sheet, I would request that be marked as Eddleman 48. This  
8 is No. HR-21, Corrective Action and Disposition of Hanger  
9 Reinspection.

10 JUDGE KELLEY: This is a CP&L document?

11 MR. EDDLEMAN: Right, prefiled No. 72 on the master  
12 list.

13 JUDGE KELLEY: And the upper-right-hand corner  
14 identification once more?

15 MR. EDDLEMAN: HR-21.

16 JUDGE KELLEY: This is a field change request  
17 or not?

18 MR. EDDLEMAN: No, it is not. It is a corrective  
19 action and disposition of hanger reinspection, No. HR-21.

20 JUDGE KELLEY: All right.

21 (The document referred to was  
22 marked Eddleman Exhibit No. 48  
23 for identification.)

24 MR. BARTH: Was that 48?

25 MR. EDDLEMAN: That is 48, that is correct.

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Sim 15-12 1

JUDGE KELLEY: HR-21, you said?

2

MR. EDDLEMAN: HR-21.

3

JUDGE KELLEY: How many pages?

4

MR. EDDLEMAN: One page, one facing sheet, one  
single sheet.

5

JUDGE KELLEY: 48?

6

MR. EDDLEMAN: Right.

7

JUDGE KELLEY: Is there another one?

8

MR. EDDLEMAN: Yes, Judge?

9

JUDGE KELLEY: Is there another one for numbering?

10

MR. EDDLEMAN: No. That is all I wanted numbered.

11

JUDGE KELLEY: Okay. Go ahead.

12

## CROSS-EXAMINATION (Resumed)

13

BY MR. EDDLEMAN:

14

Q Gentlemen, I would like to first ask you about  
Eddleman 47. This is a cover letter of the third interim  
report on hanger deficiencies, Items 95 and 72, is it not?

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A (Witness Fuller) That is correct.

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Q Let me refer you to second page, and I think  
it is marked second page on this copy, the one I handed to  
you this morning or handed out for you. It begins with  
Item 1-D and then Item 2 in corrective action.

23

A (Witness Fuller) Yes.

24

25

Q All right. In Item 2 it says "The welds were  
reworked and upgraded to meet the acceptance criteria of

Sim 15-13 1 FCR H-979. Is that the same FCR H-979 that we were talking  
2 about earlier this afternoon?

3 A Yes, it is.

4 Q Okay. What kind of upgrading and rework was  
5 needed to meet those criteria, do you know?

6 A If you had porosity, you would fix it. If you  
7 had undercut, you would fix it. If it was undersized, you  
8 would fix it. Whatever the acceptance criteria of 979 that  
9 it didn't meet, that is what would be done.

10 Q All right. Now on the third page it continues  
11 with corrective measures and then comes down to the final  
12 report paragraph. It says "Those hangers on engineering  
13 hold will be reinspected and reworked when they become active  
14 again, or they will be cancelled if they are voided."

15 How many hangers with these problems are on  
16 engineering hold at the plant now, do you know?

17 A Yesterday in my testimony I corrected a statement  
18 about hangers being on hold, which is the reference that  
19 you are referring to here. They are no longer on hold and  
20 they have been reinspected and accepted.

21 Q All right. Were any voided?

22 A I don't know.

23 Q What does it mean to void? Is it voiding the  
24 hanger or is it voiding the report?

25 A (Witness Nevill) In this case, the reference made



Sim 15-14

1 here, it would actually be elimination of the hanger. It  
2 comes through holds in the design process where a pipe may  
3 need to be rerouted, where there may be some design change  
4 from the original architect/engineer, as in the case where  
5 a vendor comes in with some nozzle load and actual analysis  
6 of the piping indicates that a hanger either is to be relocated,  
7 anew hanger added or a hanger no longer needed.

8 When this process happens, the particular sketches,  
9 if they are no longer relevant to the design, they are voided.

10 MR. EDDLEMAN: At this time I would request  
11 that Eddleman 47 be admitted into evidence.

12 MR. BAXTER: Is Eddleman 47 this letter we were  
13 just discussing?

14 MR. EDDLEMAN: The letter and the attached interim  
15 report No. 3 yes.

16 MR. BAXTER: No objection.

17 MS. MOORE: No objection.

18 JUDGE KELLEY: Granted.

19 (Eddleman Exhibit No. 47, previously  
20 marked for identification, was  
21 admitted into evidence.)

22 BY MR. EDDLEMAN:

23 Q I would now like to refer you to the one that  
24 is marked Eddleman 46, the NRC-126 letter and attachments.

25 This, as I understand it, is the cover letter

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Sim 15-15 1 and attachments of the second interim report on the same  
2 items; is that correct?

3 A (Witness Fuller) That is correct.

4 Q Okay. And it would cover corrective actions and  
5 so on that were being taken at the time it was issues; is  
6 that right?

7 A The second interim report is an update of the  
8 first interim report, like the third interim report is an  
9 update of the second. It does not necessarily detail further  
10 corrective actions. It tells where we stand on the overall  
11 status of the problem.

12 Q Okay. And if there is a difference in a later  
13 update, that could be interpreted as a change in the status  
14 of the resolution of the problem?

15 A That is correct.

16 MR. EDDLEMAN: I would move that this be admitted  
17 into evidence, Eddleman 46.

18 MR. BAXTER: No objection.

19 MR. BARTH: No objection.

20 JUDGE KELLEY: Granted.

21 (Eddleman Exhibit No. 46, previously  
22 marked for identification, was  
23 admitted into evidence.)

24 BY MR. EDDLEMAN:

25 Q Now I would like to refer you to what I have

Sim 15-16

1 been informed is Joint Internvenors' Exhibit 6, the October  
2 19, 1983 inspection reports.

3 MR. BAXTER: Mr. Chairman ---

4 JUDGE KELLEY: One moment. Which reports are  
5 these now, Mr. Eddleman?

6 MR. EDDLEMAN: Report Nos. 50-400, 83-25 and  
7 50-401, 83-25.

8 JUDGE KELLEY: All right.

9 MR. EDDLEMAN: I think the numbers just refer  
10 to the two units.

11 JUDGE KELLEY: Okay. And in terms of the dimensions  
12 here, this is a fairly thick document.

13 MR. EDDLEMAN: Yes, sir. I had made these copies  
14 up and distributed them this morning.

15 JUDGE KELLEY: It ends on page 35, right?

16 MR. EDDLEMAN: Yes, sir.

17 MR. BARTH: Your Honor, I would like to correct  
18 one earlier statement I made. The JI-6 was admitted only  
19 in part, The entire inspection report was not admitted in  
20 its entirety.

21 JUDGE KELLEY: Okay. Portions of this report,  
22 Mr. Barth advises me, are in the management contention record.  
23 I would appear that it might just be simplest to go ahead  
24 and address this on the merits. We can have an abstract  
25 legal discussion of the point I raised earlier, but why don't

Sim 15-17 1 we just -- you are going to move the admission of this  
2 document?

3 MR. EDDLEMAN: I am once I lay a foundation for  
4 it. If we are going to do it this way, I guess the best thing  
5 to do would be to mark it as Eddleman 49.

6 JUDGE KELLEY: 49 or 48?

7 MR. EDDLEMAN: I believe 49. No, I think you  
8 are right, Eddleman 48. No, I am sorry. Eddleman 48 is the  
9 one sheet. So this is 49.

10 JUDGE KELLEY: You are right. This is 49.

11 (The document referred to was marked  
12 Eddleman Exhibit No. 49 for  
13 identification.)

14 MR. EDDLEMAN: My document control is getting  
15 away from me.

16 JUDGE KELLEY: I sympathize.

17 BY MR. EDDLEMAN:

18 Q Gentlemen, do you have a copy of this report  
19 available to you?

20 A (Witness Fuller) I do.

21 Q Now I would like to refer you first to the very  
22 back of this report, the last two pages, Nos. 34 and 35 at  
23 the back.

24 A Yes.

25 Q Now we have here a list in Item 15, index of

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Sim 15-18

1 findings of this report of violations and unresolved items,  
2 correct?

3 A That is correct.

4 Q In fact, some of these items relate to pipe  
5 hanger inspection and pipe hanger installation problems,  
6 do they not?

7 A There is one violation listed for pipe hanger  
8 welding.

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Q Okay. Is that Number 832502?

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A (Witness Fuller) Yes, it is.

3

Q Okay. Now, as to the unresolved items below, is  
4 Item 09 related to pipe hangers?

5

A By the title, it appears to be.

6

Q All right. What about Item 25-12 at the top of  
7 Page 35?

8

A I don't know without --

9

MR. BAXTER: Are these items covered in the in-  
10 spection report? If so, I think the witnesses ought to have  
11 it pointed out to them rather than requiring them to guess  
12 on the basis of the title in this list.

13

MR. EDDLEMAN: Well, it refers to the sections of  
14 the report that we are dealing with. So, let me go back.

15

BY MR. EDDLEMAN: (Continuing)

16

Q Mr. Fuller, if we could look for Item 10-B which  
17 is the reference to 25-09 here.

18

JUDGE KELLEY: Page 14 seems to speak to that.

19

BY MR. EDDLEMAN: (Continuing)

20

Q As to the Item-B program there towards the top  
21 of Page 14, do you have that, Mr. Fuller?

22

A Yes, sir.

23

Q All right. It says: Pipe support installation  
24 and inspection activities were chosen for inspection, correct?

25

A That's correct.

#16-2-SueT

1 Q Okay. And this does identify some problems that  
2 were designated as a follow-up item on Page 15 toward the  
3 bottom, right above Item C?

4 A I'm not so sure they were problems. They were  
5 questions that the inspector had, and they were on non-weld  
6 related items.

7 Q Well, now these were programmatic problems, were  
8 they not?

9 A These were questions. And, yes, they were concern-  
10 ing the procedure.

11 Q All right. Item 2 on Page 15 relates to con-  
12 struction tolerances. If a joint is out of tolerance, might  
13 that affect the ability to weld it properly?

14 A No.

15 Q The -- let's see here. I would like to refer you  
16 to Page 4 of the report details section which is up a good  
17 deal closer to the front of this document.

18 A Yes, I've got it.

19 Q All right. Now, Item 3 there is -- refers to the  
20 potential to lose tracking control of identification and  
21 correction due to the use of multiple forms to document --  
22 forms and methods to document conditions adverse to quality,  
23 correct?

24 A That's correct.

25 MR. BAXTER: Objection. Let's find out whether

#16-3-SueT

1 this has anything to do with pipe hanger welding first.

2 BY MR. EDDLEMAN: (Continuing)

3 Q Do you use DRs, DDRs, at that time, at the time  
4 of this inspection were DRs, DDRs, NCRs, and punch lists used  
5 for documenting problems with pipe hanger welding?

6 A DRs, DDRs, and NRCs were used for pipe hanger  
7 nonconformances.

8 Q Punch lists were not?

9 A Not that I'm aware of.

10 Q In Item 4, it states the inspector identified that  
11 weld define measures to identify and correct conditions ad-  
12 verse to quality were not described or documented in quality  
13 procedures.

14 Was that true, to your knowledge, at this time?

15 A No, I'm not aware of that.

16 Q It's talking about meetings designed to identify  
17 adverse trends.

18 MR. BAXTER: Mr. Chairman, I object. We are  
19 picking sentences out of the middle of inspection reports  
20 without establishing any relationship to Contention 41.

21 JUDGE KELLEY: Well, I think that's what Mr.  
22 Eddleman is doing. I would assume though that you are pretty  
23 conversant with the document and prepared to zero in on things  
24 that seem to bear on 41, right?

25 MR. EDDLEMAN: That's what I'm getting to here, I



#16-4-SueT 1

think.

2

JUDGE KELLEY: It's obvious that a lot of this document doesn't have much to do with pipe hangers, if anything.

3

4

5

MR. EDDLEMAN: But some of it does.

6

7

JUDGE KELLEY: Some of it appears to. So, the quicker we can isolate those parts the better off we are going to be.

8

9

Why don't you go ahead for the time being?

10

MR. EDDLEMAN: All right.

11

BY MR. EDDLEMAN: (Continuing)

12

Q I would like to refer you to Page 13 of the --

13

I believe it's the back section of this report, the back attachment that is numbered up to Page 25 I think it is.

14

15

MR. BAXTER: Are we still on 83/25 inspection report?

16

17

MR. EDDLEMAN: Yes.

18

MR. BAXTER: Page 13 of about a twenty-five page attachment?

19

20

MR. EDDLEMAN: The body of the back section of the report. I'm just trying to --

21

22

JUDGE KELLEY: It runs to thirty-five pages.

23

MR. EDDLEMAN: Thirty-five pages. I'm sorry.

24

BY MR. EDDLEMAN: (Continuing)

25

Q Do you have that, sir?

#16-5-SueT1

A (Witness Fuller) Yes.

2 Q In Item 5 there, it identifies an unresolved item  
3 regarding FCR-H-979, Revision 3's compliance with AWS  
4 requirements, does it not?

5 A That's correct.

6 Q All right. Now, the paragraph just previous to  
7 that shows a problem identified in a pipe hanger, CHH-1030,  
8 does it not?

9 A It mentions something concerning 1030.

10 Q All right. It says that the support was redesigned  
11 and -- I'm reading at the top of Page 13. It says, "The  
12 support was redesigned and the new design was issued for  
13 implementation. However, no design nonconformance was issued  
14 and no formal transmittal of the noted condition to Ebasco  
15 or B-P was observed."

16 B-P is Bergen-Paterson, isn't it?

17 A That's correct.

18 Q Okay. It says, "This was identified as an example  
19 for violation 400, 401/83-25-05," correct?

20 A That's what it says.

21 Q Okay. Now, that --

22 A I believe this one is concerning the design or-  
23 ganization. It does not have anything to do with the in-  
24 spection of pipe hangers.

25 Q Okay. I want to refer you over to Page 14 there.

#16-6-SueT 1 In the middle paragraph of Section B it says, "...the licensee  
2 issued a stop work order regarding pipe support installation  
3 and inspection," on July 22nd, 1983.

4 Now, was that stop work order prompted by this  
5 inspection?

6 A I believe I answered that question yesterday when  
7 I told you why we issued that stop work order.

8 Q Well, had the NRC conducted a previous inspection  
9 in June that identified problems in the area of pipe hangers?

10 A Not welding related.

11 Q Well, can you explain to me what the difference is  
12 between the stop work order issued on July 22nd and the stop  
13 work order used on July 29th, as stated in that paragraph?

14 A I believe the paragraph contains a typo.

15 JUDGE KELLEY: So it would appear. It doesn't  
16 make any sense.

17 WITNESS FULLER: I believe the proper word would  
18 be "lifted" in lieu of the word "used."

19 JUDGE KELLEY: Was it in fact lifted on that day?

20 WITNESS FULLER: Yes, it was.

21 JUDGE KELLEY: It certainly supports that interpre-  
22 tation.

23 WITNESS FULLER: That's the reason I made it.

24 BY MR. EDDLEMAN: (Continuing)

25 Q Was the issuance of the stop work order just

#16-7-SueT

1 prompted by the 50.55(e) report that is mentioned in that  
2 paragraph?

3 A It was unrelated to the 50.55(e) report.

4 Q Okay.

5 A The 50.55(e) report mentioned in that paragraph  
6 was initially sent in -- you see where it says interim report,  
7 it was initially sent in a year earlier. So we are talking  
8 about a difference of time of a year between that initial  
9 50.55(e) report and this stop work. They are unrelated.

10 I believe the writer is just giving a synopsis of  
11 what's going on at that particular point in time.

12 Q Okay. It's talking about problems in the pipe  
13 support and inspection program, right?

14 A What are you referring to now?

15 Q This whole Item B here, beginning close to the  
16 top of Page 14.

17 A The July, '83 report 50.55(e) was concerning weld  
18 deficiencies. The stop work referred to later down in the  
19 paragraph had nothing to do with weld deficiencies, the reason  
20 for issuance of the stop work.

21 Q All right. Now, then on Page 15 of Item C, under  
22 Program Implementation, it refers to -- about 300 of the  
23 18,000 seismic category I pipe supports having been success-  
24 fully Phase II inspected.

25 Is pipe support in that sentence being used in a

#16-8-SueT 1 sense that means pipe hangers?

2 A Yes.

3 Q Okay. And then the problems that were found below  
4 in that paragraph were concerning these pipe hangers?

5 A That's correct.

6 Q Now, the programmatic problems with this -- the  
7 hanger program at Harris included the question of the use  
8 of multiple forms for reporting discrepancies, as we've already  
9 discussed, and as well I would like you to look at Page 3 of  
10 this --

11 MR. BAXTER: I didn't understand that observation,  
12 Mr. Chairman. It doesn't resemble any evidence I've heard in  
13 this case.

14 JUDGE KELLEY: Could you restate it, Mr. Eddleman?

15 MR. EDDLEMAN: Well, I think that the record will  
16 show what I previously asked the witness about the multiple  
17 documentation for conditions adverse to quality.

18 I would like to refer to Page 3 of this --

19 MR. BARTH: I join Mr. Baxter, Your Honor. I  
20 move to strike Mr. Eddleman's previous remarks there. Remarks  
21 by the counsel -- he's not a counsel to the record -- that  
22 are not a question, he is entitled to ask a question and get  
23 answers but he is not entitled to testify. And he testified  
24 and characterized the testimony. I move to strike it.

25 JUDGE KELLEY: In the alternative, you can rephrase

#16-9-SueT

1 it so we can --

2 MR. EDDLEMAN: That's what I'm trying to do. I'm  
3 just rephrasing it.4 MR. BARTH: It is not a question, Your Honor. He  
5 made a statement --

6 MR. EDDLEMAN: I never finished the question.

7 JUDGE KELLEY: It sounds like it's getting late in  
8 the day. As I recall, Mr. Eddleman, there is a section of  
9 this document that talks about this subject of having multiple  
10 document problems. And you referred to it at one point and  
11 asked the witness a question or two.

12 MR. EDDLEMAN: That's right.

13 JUDGE KELLEY: Now, what is your prior observa-  
14 tion intended to be, important or significant? Or, can we  
15 just move along?16 MR. EDDLEMAN: It's just a note that that's there  
17 and then to ask about Page 3.18 JUDGE KELLEY: Okay. So, we know that it's there.  
19 Why don't you go ahead?

20 BY MR. EDDLEMAN: (Continuing)

21 Q Do you have Page 3?

22 A (Witness Fuller) Yes.

23 Q Okay. Toward the bottom of that page in the last

24 dashed item under B(1), it says a situation exists whereby

25 a basically production free CI -- which I take it is construction

#16-10-SueT  
1 inspection -- and a production oriented engineering staff are  
2 both reporting to the senior resident engineer position. Hav-  
3 ing the responsibility for both engineering and quality con-  
4 trol activities can create a conflict of interest.

5 Is that what it says?

6 MR. BAXTER: Objection. Mr. Chairman, the wit-  
7 nesses have testified that CI inspects hanger attributes  
8 other than welding. Only the QA organization inspects pipe  
9 hanger welding, though whether CI has independence or not  
10 is irrelevant to this contention.

11 MR. EDDLEMAN: I think it is relevant. I think  
12 if you go back through the testimony you will see that there  
13 are connections between CI inspected attributes and the  
14 ability to weld properly.

15 MR. BAXTER: They haven't been established here  
16 if there are.

17 MR. EDDLEMAN: Now, he's testifying.

18 MR. BAXTER: I'm just responding to what you just  
19 said.

20 JUDGE KELLEY: I think he is arguing.

21 MR. EDDLEMAN: All right. I will withdraw that.  
22 I'm sorry.

23 JUDGE KELLEY: All right. Well, we will rule on  
24 this. I want to ask a question.

25 Where do you stand now, Mr. Eddleman?

#16-11-SueT 1

MR. EDDLEMAN: Very near the end.

2

JUDGE KELLEY: Okay.

3

MR. EDDLEMAN: I don't know, one short line away probably.

5

(The Board members are conferring.)

6

JUDGE KELLEY: It's a fairly debatable point. We are going to allow the question.

8

BY MR. EDDLEMAN: (Continuing)

9

Q It does read as I stated, doesn't it?

10

JUDGE KELLEY: Yeah, it does.

11

(Laughter.)

12

Beyond that -- now I'm testifying. All right. So, what's the question? Go ahead.

13

14

BY MR. EDDLEMAN: (Continuing)

15

Q So, if I can move on now, that was one of the three concerns that are identified as inspector follow-up Item 83/25/12 for the Harris Plant above, right?

16

17

18

Look at the end of Paragraph 1 above the dash parts.

19

20

A Yes.

21

MR. EDDLEMAN: At this time, I would move the admission of Eddleman 49 into evidence.

22

23

MR. BAXTER: I object, Mr. Chairman. I don't think we have established the relevance of this document for the contention. We've had a lot of discussions about general QC,

24

25



#16-12-SueT 1

2 the fact -- Mr. Eddleman has tried to link the fact that there  
3 were multiple documents reporting discrepancies to pipe hanger  
4 problems but that connection has not been made by the wit-  
5 nesses or anybody else.

6 We have discovered problems with other aspects of  
7 pipe hanger installation but not with the welding here.

8 JUDGE KELLEY: Mr. Barth?

9 MR. BARTH: I don't think it's relevant, Your  
10 Honor, but it's no more irrelevant than the rest of these  
11 pieces of paper he has put in. So, I have no objection.

12 JUDGE KELLEY: Well, gentlemen, it strikes me that  
13 it's a long document about a lot of things, most of them  
14 have nothing to do with welding or pipe hangers. But there  
15 are some things in here that you pointed to that it seemed  
16 to me to have some bearing on --

17 MR. EDDLEMAN: I think --

18 JUDGE KELLEY: Can you identify again, you know,  
19 by page just where these things are? As an alternative, can  
20 you move in Pages A, B and C and so forth?

21 MR. EDDLEMAN: I can do that. I think it would  
22 be valuable to have the context in. And this is the Special  
23 Regional Construction Assessment Team inspection, as stated  
24 on the first part. Okay. So, I think that, Pages 1 and 2,  
25 the cover letter, would have to go in.

The Appendix A, notice of violation, that -- no,

#16-13-SueT

1 I'm not going to argue, you know, about something where it  
2 says the cigarette butts on the RV flange, I'm not going to  
3 argue that that applies to pipe hangers.

4 But I just think it's clearer to have the whole  
5 context of these things. Some of these things refer here and  
6 there in the report. The listing of follow-up items, Pages 34  
7 and 35, at the back certainly needs to go in. And, then  
8 various of the items need to.

9 I think --

10 JUDGE KELLEY: Let me ask you to do this, Mr.  
11 Eddleman. Hold on just a minute.

12 (The Board members are conferring.)

13 MR. BARTH: Mr. Chairman, may I stick my neck out  
14 by offering a possible solution?

15 Previously, we had this problem and you admitted  
16 a document over the objections of the Applicants and the Staff  
17 only insofar as cross-examination was conducted on it. And  
18 that might be a possible solution with regard to this docu-  
19 ment, that only those matters which were cross-examined should  
20 be admitted into evidence.

21 JUDGE KELLEY: Particular pages and paragraphs,  
22 you mean?

23 MR. BARTH: Yes, Your Honor, and identified by Mr.  
24 Eddleman as you suggested.

25 JUDGE KELLEY: All right. Mr. Baxter, do you have

#16-14-SueT 1

any reaction to that approach?

2

The Board is inclined to let some portions of this document in, but not all of it. And then the question is exactly how that is to be limited. This is a compromise that Mr. Barth is proposing.

5

6

How does that strike you?

7

end #16  
Joe flws

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1 MR. BAXTER: Mr. Chairman, it helps to know  
2 what we are shooting at. That is my biggest problem  
3 with putting the whole thing in.

4 JUDGE KELLEY: Is that approach, Mr. Eddleman,  
5 satisfactory to you?

6 MR. EDDLEMAN: If I do it, I have to go through  
7 the text almost item by item, and go over things with  
8 them.

9 JUDGE KELLEY: Well, the alternative is to do  
10 that anyway, because if we don't do that -- the transcript  
11 will show what that is, and then we can march on. If  
12 we don't do that, then we are going to say to you: Tell  
13 us tomorrow morning exactly what page of what paragraph  
14 you want in, and we will go back and whether we think it  
15 has anything to do with the contention.

16 So, you know, you can take your pick.

17 MR. EDDLEMAN: What I am trying to get at in  
18 this thing is the role that the NRC played in finding these  
19 pipe hanger problems and things that were out of proper  
20 procedure, or proper --

21 JUDGE KELLEY: But your best shot at that is  
22 going to be to ask Mr. Bemiss when you get him on the  
23 stand tomorrow, right? And others.

24 MR. EDDLEMAN: Well, I can certainly do that.

25 I think it is valuable to get the context of this.

1 JUDGE KELLEY: Okay, we don't agree with  
2 that. We are not going to put in this whole 40 odd pages  
3 for context. We reject that proposal, and what we are  
4 trying to do is narrow it down now to some material that  
5 has some direct bearing on the contention.

6 MR. EDDLEMAN: I can try to get you a list of  
7 pages, or paragraphs, or whatever, tomorrow morning.

8 JUDGE KELLEY: Why don't you do that, and we  
9 appreciate Mr. Barth's suggestion. That is one way we  
10 could have handled it. What we will do, if you can tell  
11 us first thing tomorrow, just write it down on a piece of  
12 paper and xerox it and hand out copies, we will -- I don't  
13 think we need further argument on it. We understand the  
14 parties position.

15 Just tell us by page and paragraph of the  
16 document what you think is fairly -- directly bears on the  
17 contention, and we will look over the material and we will  
18 make a ruling. Okay?

19 MR. EDDLEMAN: All right.

20 JUDGE KELLEY: Fine.

21 BY MR. EDDLEMAN: (Continuing)

22 Q Genetlemen, in assessing the propriety whether  
23 it is okay to do a field change request, or permanent  
24 waiver on a pipe hanger, is all that analysis done by either  
25 CP&L or Ebasco, or are there other people who do the

1 analysis? Other companies, perhaps.

2 A (Witness Nevill) If you are talking overall, the  
3 only other involvement would be Westinghouse for some of the  
4 Class 1 piping systems.

5 MR. BAXTER: Are we talking about welding here?

6 MR. EDDLEMAN: Talking about the assessment of  
7 field changes or permanent waivers that change the way the  
8 pipe hanger welding is set up.

9 WITNESS NEVILL: Ebasco would have been the  
10 primary early sources, in addition to Bergen-Patterson.  
11 Bergan-Patterson was involved with the design process of  
12 pipe hangers.

13 BY MR. EDDLEMAN: (Continuing)

14 Q No other outside contracts, or anybody like that.

15 A No, sir.

16 Q All right. Do you gentlemen have the hanger  
17 reinspection, HR-21, that was marked as Eddleman 48 earlier?

18 A (Witness Fuller) Yes, sir.

19 Q Do you have any attached report for it?

20 A No, we don't. And we might add that that doesn't  
21 have anything to do with pipe hangers.

22 MR. BAXTER: I was about to object, Mr. Chairman.  
23 This deals with electrical supports.

24 MR. EDDLEMAN: Well, it says hanger reinspection.

25 WITNESS FULLER: I think it was HVAC, or cable

1 tray hanger reinspections.

2 Q All right. Let me refer you to your testimony,  
3 Question and Answer 15, on page 7, please. This study  
4 that you did of hanger erection problems, when was that  
5 done?

6 A Spring of '82.

7 Q Spring of '82? All right. And how long did the  
8 effort take?

9 A That study was a trip by site management to three  
10 other nuclear sites.

11 Q Okay. Which sites were those?

12 MR. BAXTER: Objection, Mr. Chairman. What  
13 possible relevance can it have to the litigation of the  
14 adequacy of the welds at Shearon Harris as to where the  
15 management traveled to look at problems elsewhere?

16 MR. EDDLEMAN: Want to know if they looked at the  
17 ones that had the worst problems.

18 MR. BAXTER : Well, we are not going to have  
19 evidence on which plants have the best hanger welds in the  
20 country.

21 JUDGE KELLEY: We might just -- could we just  
22 establish were these plants under construction, or --

23 WITNESS FULLER: Yes, sir.

24 JUDGE KELLEY: All of them?

25 WITNESS FULLER: Yes, sir.

1 JUDGE KELLEY: If you have another question,  
2 go ahead.

3 BY MR. EDDLEMAN: (Continuing)

4 Q Which plants are they?

5 A Virgil Summer, Catawba, and Palo Verde.

6 Q Did any of you gentlemen on the panel go on  
7 this trip?

8 MR. BARTH: At this time, I object, Your Honor.  
9 This is so far from the Applicants QA program. It makes  
10 me sad that we are going to start litigating Summer, and  
11 Catawba, and the other power companies now, too.

12 It is just irrelevant, Your Honor.

13 JUDGE KELLEY: Well, we don't propose to do that,  
14 Mr. Barth, I may assure you. I suppose it would be  
15 legitimate though to find out if Mr. Hate went on a trip.  
16 The testimony does speak of the study, and we don't know  
17 what the next question is. If there is nobody here who  
18 went, maybe we can forget about it, but if he went, we  
19 can find out that much.

20 WITNESS HATE: I did not go.

21 JUDGE KELLEY: Oh, you didn't go. Okay. Did  
22 anybody go?

23 WITNESS FULLER: I went to Catawba.

24 WITNESS NEVILL: I visited Catawba as well.

25 BY MR. EDDLEMAN: (Continuing)



1 Q This may have been asked and answered earlier,  
2 so I apologize. But how many of the hangers at the Harris  
3 Plant are now complete, and have passed final inspection  
4 and audit under the enhanced inspection program?

5 A (Witness Fuller) There are approximately 19,000  
6 hangers; a little bit more than 3,000 have been through CI  
7 and QC. 7,000 have been through the engineer verification  
8 stage of the hanger engineers and welding engineers.

9 Q So three thousand complete, is that right?

10 A Through CI and QC.

11 Q Well, now, the audit check on QC, that is after  
12 that? I am trying to find the section. There is a place  
13 in here where you talk about -- Answer 35, page 25, now  
14 who is it that checks the acceptability of these attributes  
15 as discussed in Answer 35?

16 A (Witness Hate) CI and QC.

17 Q Did CI and QC check on themselves?

18 A What do you mean?

19 Q Okay. When it says approximately 93 percent  
20 of the quality attributes presented by the craft to CI  
21 for inspection were found to be acceptable, does that mean  
22 that you have a hanger and it has so many attributes, things  
23 that have to be checked off, and CI finds 93 percent of  
24 those were okay.

25 A That is correct.

1 Q Okay. Now, and the same meaning for QC in the  
2 next sentence?

3 A That is correct.

4 Q Okay. Now, the independent check of inspector  
5 performance by QA Surveillance, that is checking after  
6 CI and QC have inspected to see if they did it right?

7 A That is correct.

8 Q And that has those acceptance rates as discussed  
9 there?

10 A That is correct.

11 Q Okay. Now, my question is, the three thousand  
12 that you talked about, Mr. Fuller, that had gone through  
13 CI and QC, that doesn't include the results of this QA  
14 Surveillance check?

15 A (Witness Fuller) Those surveillances were on  
16 part of those three thousand hangers.

17 Q Okay. Now, those that were rejected there had  
18 to be reworked again?

19 A (Witness Hate) The ones that were rejected  
20 during the QA surveillance had -- were minor defects. If  
21 you will report to Mr. Jim Nevill's testimony on page 23.  
22 If you look at line 5, they fall in that category, they  
23 are minor defects and have no adverse impact on structural  
24 integrity.

25 Q Mr. Hate, you reviewed the defects found in the

1 QA surveillance?

2 A I know the results of it.

3 Q Did the results describe the defects themselves  
4 particularly?

5 A Yes, they do.

6 Q Okay. Are those hangers being reworked?

7 A (Witness Fuller) Yes.

8 MR. EDDLEMAN: Thank you very much. I have no  
9 further questions.

10 JUDGE KELLEY: Okay. Just a moment.

11 (Short recess taken)

12 JUDGE KELLEY: Back on the record. Mr. Barth,  
13 or Ms. Moore?

14 MR. BARTH: The Staff has no questions, Your  
15 Honor. Very terse cross examination.

16 JUDGE KELLEY: I guess the Board would come next.

XXX INDEX

17 BOARD EXAMINATION

18 BY JUDGE BRIGHT:

19 Q Excuse my caught drop. I thought that the Staff  
20 might have a couple of observations to make anyway. In  
21 your prepared testimony, on page 6, the sense of your  
22 answer to Question 14, I guess this would be Mr. Hate,  
23 is that that is one hundred percent in plant inspection,  
24 is that true?

25 A (Witness Hate) Yes.

1 Q Then on page 23 -- 13.

2 A Your Honor, I would like to clarify one thing.

3 Q Please.

4 A On page 7, when I said yes, this covers a hundred  
5 percent inspection, that is not correct as far as prior to  
6 middle of '82.

7 Q I am talking about today. Today you do one hundred  
8 percent of the inspection of the vendor's product?

9 A Yes.

10 Q And at the vendor's place of business, before it  
11 is shipped?

12 A At the vendor's place, as well as on site.

13 Q I will get to the on site. My main problem here  
14 is historical information mixed up.

15 A Your Honor, we approve fabrication in the  
16 vendor's shop.

17 End 17.  
18 MS fols.

19

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Sim 18-1

1 Q I am afraid I didn't understand what you said.

2 A (Witness Hate) What I said is that we got through  
3 with fabricating hangers in the vendor's shop.

4 Q Did you say that you were through with stuff out  
5 of the vendor's shop?

6 A Yes.

7 Q But you did institute a hundred percent inspection,  
8 vendor inspection?

9 A Yes.

10 Q Okay. Now on page 13 you state that you are  
11 now doing a hundred percent receipt inspection of vendor welds.

12 A That is correct.

13 Q Okay. Just for my edification, would you name a  
14 few attributes? This is a great term, but I am not sure  
15 what all it encompasses.

16 A As far as weld inspection is concerned?

17 Q What you say on page 13 in Answer 35, that  
18 approximately 93 percent of the quality attributes presented  
19 by the craft, for example, and farther on down, 99.82 percent  
20 acceptance rates for CI inspected attributes, and 9.37 acceptance  
21 rates for QC welding inspected attributes.

22 I would just kind of like to get a little feel  
23 for what you are really talking about there as far as  
24 attributes are concerned. I am not talking about the numbers.

25 A For example, in the CI inspected attributes, we

Sim 18-2

1 would verify the geometry, we would consider that as an  
2 attribute. We would check the clearances, we would consider  
3 that as an attribute. We would verify the fasteners, that  
4 would be considered an attribute.

5 As far as QC inspection is concerned on welding,  
6 on welding we would consider undercut as an attribute. We  
7 would consider size as an attribute. We would consider  
8 fusion as an attribute. We would consider base metal  
9 reduction as an attribute. Those are some of the examples.

10 A (Witness Fuller) But in the context of the  
11 answer to this question under the QC part, joints are attributes  
12 in QC.

13 A (Witness Hate) That is right.

14 A (Witness Fuller) What Mr. Hate is describing  
15 is the attribute of a joint, and when it says 93 percent of  
16 the attributes as far as QC, that is 93 percent of the joints,  
17 and all those attributes go into a joint.

18 Now under the CI point, the items that he was  
19 describing, each one of those was an attribute of which 93  
20 percent of say those items he described for CI would be  
21 acceptable.

22 Q Well, that is not readily apparent from your  
23 testimony here.

24 I guess there was one other thing. Early on  
25 in your cross-examination, the topic was your non-conformance

Sim 18-3

1 reports and how far did they go, and I believe you said that  
2 they stopped at the Harris QA level, or something like that.

3 A (Witness Hate) I would like to clarify that.

4 Q I would like to get it clarified.

5 A Okay. For example, our DDRs, which is a  
6 deficiency ---

7 Q Well, what are you using today?

8 A An NCR.

9 Q Then, please let's talk NRC.

10 A Okay. An NCR goes to the manager of QA/QC. He  
11 is on the distribution, which I mentioned yesterday. In  
12 addition to him, the two senior construction managers on site  
13 also receive a copy of the NRC, and they are the Project  
14 General Manager of Construction and the Project General Manager  
15 of Completion Assurance.

16 In addition to that, they get quite a sizeable  
17 distribution.

18 Q Well, I guess the question was how far up the  
19 organization they went. Now I assume when you say the  
20 Quality Assurance Manager, you are talking about Mr. Banks?

21 A No. I am talking about the Manager of QA/QC who  
22 reports to Mr. Banks.

23 MR. BAXTER: You mean the Harris Site Manager?

24 WITNESS HATE: Yes.

25 Now if it is a significant problem, such as a

Sim 18-4

1 potentially reportable item or a reportable item, then that  
2 gets elevated even higher. Those problems, some of our  
3 corporate officers are on distribution for letters for those  
4 problems such as the Senior Vice President - Nuclear Generation  
5 and the Vice President of the Harris Project.

6 BY JUDGE BRIGHT:

7 Q Is there any kind of, oh, collation or a standard  
8 little, say, weekly report, executive type that goes out  
9 to top management just for their information?

10 A (Witness Hate) We have a monthly project review  
11 meeting, and during that monthly project meeting, which is  
12 also attended by the Senior Vice President - Nuclear Generation,  
13 non-conformance reports are discussed.

14 Q Do you feel that upper management then is  
15 adequately informed of the way things are going ---

16 A Yes, absolutely. Yes.

17 JUDGE BRIGHT: Fine. Thank you.

18 BOARD EXAMINATION

19 BY JUDGE CARPENTER:

20 Q If you would turn to page 13 of your prefiled  
21 testimony, please. On 13 through 16 you make reference  
22 to the high rejection rate on receipt inspection of vendor  
23 welds, describing it to somewhat different weld acceptance  
24 criteria. What is the reason for different weld acceptance  
25 criteria?

INDEX



Sim 18-5

1           A           (Witness Nevill) I would like to try to  
2 answer that. When we talked earlier about the FCR 979,  
3 that was part of a mechanism that we used on site to make  
4 sure that the weld acceptance criteria was consistent.

5                       Now Berg and Patterson when they completed the  
6 original design and fabrication, they have their own acceptance  
7 criteria. You know, it is their design process and their  
8 QA program. That was somewhat different than what we used  
9 on site for field welds. That stemmed some of the earlier  
10 problems where Berg and Patterson used their criteria for  
11 shop welds and we had a slightly different criteria for field  
12 welds.

13                      Now that goes back into the FSAR commitments  
14 and the design specifications issued to Berg and Patterson.  
15 They did not use AWS D-11. They had their own separate set  
16 of criteria they had developed over the years since they are  
17 a design and fabrication organization.

18                      The 979 FCRs simply took the Berg and Patterson  
19 criteria and issued that on site. And that is how we evolved  
20 to resolve the differences in the criteria.

21           Q           So it is essentially a change from the FSAR?

22           A           No, sir it is not, because Berg and Patterson  
23 never committed to AWS D-11.

24           Q           I was just kind of surprised. This seemed like  
25 a sort of routine thing and people have been building nuclear

Sim 18-6

1 power plants for a long time and agencies have been trying  
2 to regulate them. And I was surprised at this late date that  
3 there was some question about weld criteria.

4 A (Witness Hate) When the contract was initially  
5 issued, it was silent and it did not get into this level  
6 of detail. It left quite a bit up to Berg and Patterson,  
7 and that is where the conflict existed because their designers  
8 came up with their own criteria for their inspectors and that  
9 necessarily did not match with the criteria that we used in  
10 the field. So FCR H-979 was part of that reconsideration.

11 A (Witness Timberlake) What you should also keep  
12 in mind is that the vendor being a shop is supplying or has  
13 been supplying hanger components to various sites throughout  
14 the country, and some of those sites work to ASME Section  
15 3, Subsection NF requirements.

16 And as a vendor, in order to meet those requirements,  
17 they felt like they designed to those requirements and set  
18 their inspection criteria up to that and were supplying us  
19 with components that they had inspected with that basis for  
20 their criteria.

21 However, we were not committed to NF for our  
22 site work and we were working to AWS D-11. So you are  
23 basically dealing with differences in welding inspection  
24 criteria because of two different codes involved.

25 Q Are both the codes simultaneously acceptable, or

Sim 18-7

1 it is an option as to which code you comply with?

2 A (Witness Nevill) Well, if you get into later  
3 issues of the NF invokement on ASME, there are problems  
4 involved because the NF part of the ASME code, which is after  
5 the Harris licensing commitment, kind of encompassed hangers  
6 into that program where it previously was purely related to  
7 pipe.

8 So at Harris now we use AWS for structural welds,  
9 which includes pipe hangers, and ASME for pipe welds. Future  
10 generation plants use the NF criteria which invokes those  
11 on hangers themselves.

12 Q Can you give me some feel for the magnitude of  
13 the difference? Are we talking about a 10 percent difference  
14 or a factor of two difference?

15 A (Witness Hate) I have always considered the  
16 D-11 code to be more stringent than the NF code, and that  
17 is what we were applying.

18 Q See, you are making reference to some things  
19 that I have never seen. So I am asking for help. When you  
20 say more stringent, I am looking for get some feel for --  
21 are there substantive differences or modest differences?

22 A (Witness Timberlake) It is probably better to  
23 classify it as more definitive. It does into more detail  
24 for the measurement of fillet welds, for example, and has  
25 an undersize criteria for fillet welds, and has criteria for

Sim 18-8

1 undercut based on loading, and you don't find that much  
2 definition in Section 3.

3 Section is really almost silent on visual  
4 inspection.

5 A (Witness Hate) That is the NF code he is talking  
6 about.

7 A (Witness Timberlake) Right. AWS D-1.1 also  
8 has more information and has an exhibit that discusses weld  
9 profiles which is very definitive.

10 A (Witness Hate) I can give you some feel. If you  
11 took the same weld and you inspected it to NF versus D-11,  
12 you would probably accept at least maybe 30 percent more  
13 welds based on the NF criteria versus the D-11 criteria, in  
14 that type of magnitude.

15 Q Well, what I was interested in was whether this  
16 standardization of the weld acceptance criteria was compatible  
17 with the regulatory commitments since it was made at such  
18 a late date?

19 A (Witness Nevill) Yes, sir, it was.

20 A (Witness Hate) Yes, it was.

21 BOARD EXAMINATION

22 BY JUDGE KELLEY:

23 Q I have just one rather general question for  
24 the panel, and it may take a few sentences to state it. But  
25 it comes down to this. As I see it, there is a rather long

XXXXXXXXXX

Sim 18-9

1 and complicated background of a problem with these pipe  
2 hanger welds at Shearon Harris which you have wrestled with  
3 and you have tried some different fixes and the early ones  
4 at least didn't work or didn't work very well and you came  
5 up with this enhanced program in December of '83 which was  
6 designed to fix it once and for all.

7 And the early returns on that, which you reflect  
8 in your testimony look encouraging, and I am thinking of the  
9 99 percent and upward results referred to in Question 35,  
10 for example.

11 But with that background, and I got this feeling,  
12 too, reading the NRC staff's testimony, and I don't mean to  
13 misinterpret that, and we will hear from them tomorrow, but  
14 a sort of reaction to their testimony was along these lines.

15 Well, there was this very intractable problem  
16 and it was very stubborn and they worked and they worked and  
17 they still had a problem, and now recently they have got  
18 this good program and we sure hope it works. That is the  
19 message that seems to come through.

20 So then I asked myself, the program looks good  
21 but it was a pretty hard problem and how can I be sure that  
22 it has really been fixed, except to say well, I will want  
23 to see more actual results under the program before I am  
24 satisfied that everything is okay.

25 Why shouldn't I as a Judge just say I am glad

Sim 18-10

1 to hear what you are doing and come back in six months or  
2 a year and tell me when you are three-quarters done and we  
3 will look at the statistics then and decide whether it is  
4 a good enough program.

5 Now we are here today and your position for the  
6 company is that we should approve it, but could you tell me  
7 why I don't need that kind of skepticism, if that is your  
8 position?

9 A (Witness Hate) Yes. We have total confidence  
10 in our enhanced program. This confidence is built through  
11 many multiple checks. For example, David Timberlake's group  
12 looks at all the hanger welds prior to even presenting it  
13 to QC for inspection.

14 So now you have got welding supervisors looking  
15 at hanger welds prior to even giving it to us for inspection.  
16 That is one level of check that we never had before.

17 We have got Mr. Fuller's engineers out there in  
18 the field answering questions and resolving problems as  
19 they come up and simplifying the understanding of the craft.  
20 It is much simpler for the craft when you have engineers  
21 in the field assessing that.

22 We have formed documentation assessment groups  
23 that verify that yes, we have done all the inspections and  
24 we have reconciled all the changes and they are all part  
25 of the finished product.

Sim 18-11

1 In addition to that, we also do independent  
2 QA surveillances. These surveillances, the sample size  
3 is based on Mil Standard 105D which gives you a very repre-  
4 sentative sample of what you have got in the field. Okay?

5 Q Okay up till there. Could you just repeat the  
6 sample and what that is about?

7 A Yes. The QA surveillances are done to verify  
8 the performance of CI and QC inspectors.

9 Q Are these spot checks, so to speak?

10 A No, they are more than that. What we do, as we  
11 have said, is that for the 19,800 hangers what is the sample  
12 size we need to take to have confidence in our program that  
13 our inspectors are performing well?

14 Q Okay, and what is the answer, about big a sample  
15 size?

16 A Based on that, our sample size is going to be  
17 approximately 500 hangers, which includes when we go to check  
18 those hangers we look at all the welds on the hangers and  
19 all the CI attributes. It is not just one weld on a hanger  
20 or two welds.

21 Q Are you saying, and bear with me, I am not an  
22 expert on samples and statistics at all, but are you saying  
23 that once you have done a checkout on 500; then if you adhere  
24 to the sample program, you will get a very high success  
25 level on everything else?

1           A       What I am saying is that these 500 hangers that  
2 we will be checking out, so far on our QA surveillances we  
3 have looked at approximately 150 hangers.

4           Q       The 500 sample is something that you are working  
5 right now?

6           A       Yes. It will continue to go until we finish  
7 the installation of the 19,000-whatever hangers there are.  
8 You will continue to test them so that ---

9           Q       So you are taking "X" percent? The 500 is "X"  
10 percent of 19,000. Was it five percent or something like  
11 that?

12          A       Something like that, yes.

13          Q       And so far you have done 150 of the 500?

14          A       Right, but it is based on a recognized statistical  
15 sample.

16          Q       Okay. The details on this, I have read your  
17 testimony, but is this particular feature all laid out?

18          A       No.

19          Q       Well, then, go ahead. It is of interest.

20          A       Okay. So these QA surveillances give us  
21 additional confidence that our inspection programs are working.

22          Q       The QA surveillances, you say you have done about  
23 150 of a projected 500?

24          A       Yes.

25          Q       And what do they show?



Sim 18-13 1

A Those results are shown in our Answer 35.

2

Q That is the answer 35 with numbers?

3

A It is line 22 to 24. It is page 25.

4

Q Just a minute.

5

(Pause.)

6

Yes, beginning with "In addition, the independent check . . ." that is what you are referring to?

7

8

A Yes.

9

Q It came out virtually perfect, 99. something.

10

A And whatever minor discrepancies we found -- or whatever discrepancies we found were of a very minor nature and had no safety significance and they were evaluated as so.

13

14

Q Okay. I think I follow that.

15

A Now in my oral testimony of yesterday I reported that this is for just a three-month period. I reported for the period of January through October, and the results of are very similar. It is a very high performance rate of our inspectors.

19

20

Q The statistics in the testimony are for a period of February to April. That is just a quarter, correct?

21

22

A That is correct.

23

Q And I am asking you to repeat I guess, but when you spoke yesterday of January to October?

24

25

A That is correct.

Sim 18-14

1 Q What is the comparable percentage of acceptance  
2 for that?

3 (Pause.)

4 A For QC inspected attributes, which is welding ---

5 Q I was thinking about the check, the 500 check,  
6 right?

7 A Yes.

8 Q Okay, go ahead.

9 A The check of inspector performance for welding  
10 for the ten-months is at 98.78 percent.

11 Q Okay.

12 A For CI it is 99.6 percent.

13 Q Okay. That is helpful. Thank you. I appreciate  
14 you repeating it for me.

15 Are you saying, if I can take what I am sure is  
16 rather crude political analogy. We all watched Dan Rather  
17 and people like that on the television last week and they  
18 would have in three percent of the electorate and they would  
19 say so and so wins, right, with great confidence, and they  
20 turned out to be right, and I suppose most of the time, or  
21 they wouldn't say such things.

22 Are you saying that having done this much of  
23 a check at this stage of the game, then assuming you stick  
24 to the present program, which you are committed to, you would  
25 come out with a similar result?

Sim 18-15 1           A       Yes, sir.    But I am also saying that we have  
2 many other attributes in our enhanced hanger program that  
3 also provide a lot of checks and balances such as David  
4 Timberlake's people looking at all the welds which we never  
5 did before.

6                   JUDGE KELLEY: Thank you, Mr. Hate. Does anybody  
7 else want to comment on that?

8                   WITNESS FULLER: We don't claim to be perfect,  
9 and as evidenced by those surveillance numbers not being a  
10 hundred percent, we weren't, and we probably never will be.

11                   JUDGE KELLEY: I don't think we can believe a  
12 hundred percent.

13                   WITNESS FULLER: We did try.

14                   (Laughter.)

15                   But if there are problems that crop up, we are  
16 committed to fix them. If we see areas in our program that  
17 need strengthening, that is certainly our intention.

18                   JUDGE KELLEY: Thank you, sir.

19                   Anyone else?

20                   (No response.)

21                   JUDGE KELLEY: That is all I have.

22                   Mr. Eddleman, do you have any further cross  
23 based on our questions?

24                   MR. EDDLEMAN: I think I have a few things,  
25 Judge.

Sim 18-16

JUDGE KELLEY: Go ahead.

## FURTHER CROSS-EXAMINATION

BY MR. EDDLEMAN:

Q As regards this sample size, gentlemen, isn't it true that there have been other sampling program where when a larger sample was taken it was found that there were problems that were getting past the sample?

MR. BAXTER: Objection. Is this a statistical question that in the abstract the mil standard might not be adequate? I don't know what sampling programs Mr. Eddleman is making a reference to. It is too vague.

MR. BARTH: We object, Your Honor, because your questions did not refer to other sampling distributions and only the sample that they had taken here of 150 with an ultimate sample size of 500 of 19,000. You made no reference in you questioning to other samples. It is beyond the purview of the redirect by the Board or cross or however we characterize your questions.

JUDGE KELLEY: Mr. Eddleman?

MR. EDDLEMAN: I can't believe it. I think if you say you have got a sample and you have got high confidence that you are right because of your sampling results, then the very logical question is haven't you before had some samples where things were getting right by you even though the samples looked okay.

Sim 18-17 1

2 JUDGE KELLEY: The question is haven't they in  
their work at Shearon Harris?

3 MR. EDDLEMAN: That is right.

4 JUDGE KELLEY: All right, I will allow that.

5 WITNESS HATE: Mil Standard 105 is a very  
6 recognized sample program that has worked and is well used  
7 across the industry. But what I said to you earlier, Your  
8 Honor, is there are many checks and double checks.

9 The QA surveillances are just one facet of the ---

10 JUDGE KELLEY: I understand, but I think  
11 Mr. Eddleman is just after the sample at the moment.

12 Isn't that right?

13 MR. EDDLEMAN: That is right.

14 JUDGE KELLEY: All right.

15 BY MR. EDDLEMAN:

16 Q Well, let me ask you, is Mil Standard 105, was  
17 that what was used to inspect the skewed tee fillet shop  
18 welds?

19 A (Witness Hate) I don't know.

20 Q In what other parts of the auditing or checking  
21 on pipe hangers at Shearon Harris is this standard used?

22 MR. BAXTER: I am sorry. Mr. Chairman, I think  
23 the question is confusing. The QC inspections, which are  
24 done on every weld on every hanger, with the QA surveillances,  
25 which are done following that on a sample basis.

Sim 18-18

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I think Mr. Eddleman's question is confusing the two.

MR. EDDLEMAN: I think the confusion is Mr. Baxter's.

JUDGE KELLEY: Well, could you restate it and we will see.

BY MR. EDDLEMAN:

Q For what other checks on inspection of pipe hangers at Shearon Harris is Mil Standard 105 used?

MR. BARTH: Objection, Your Honor, this is way beyond your cross. We are not talking about anything except welds, and not other attributes of these hangers, which would include the material traceability and all kinds of things.

You asked about a sample of 150 out of an ultimate sample of 500 on the attributes and not other matters on these pipe hangers.

MR. EDDLEMAN: Logically if you have to separate out only the welding attributes, then you would have to strike the testimony about the results of the program.

end Take  
Sue fols

#19-1-SueT

1 JUDGE KELLEY: Could you restate the question,  
2 please?

3 BY MR. EDDLEMAN: (Continuing)

4 Q For what other checks on inspection of pipe  
5 hangers at Shearon Harris is Mil Standard 105 used?

6 A (Witness Hate) Our --

7 JUDGE KELLEY: Yes, all right.

8 WITNESS HATE: Our weld inspections, we've always  
9 looked at all welds in the field a hundred percent. Okay.

10 JUDGE KELLEY: Okay.

11 WITNESS HATE: At receipt inspection in the past  
12 we had used Mil Standard 105 for certain attributes before  
13 we went to looking at hundred percent of the shop welds.  
14 When in '82 we started looking at hundred percent shop welds  
15 so we didn't use Mil Standard 105.

16 BY MR. EDDLEMAN: (Continuing)

17 Q Mr. Hate, as regards the questions about attributes,  
18 and if any of the other panel members can add to this please do,  
19 about how many attributes require inspection on an average  
20 Shearon Harris pipe hanger?

21 A It's over thirty-five attributes.

22 JUDGE KELLEY: Are you using it now just in the  
23 sense of porosity and fusion, or are you using it in the sense  
24 of joints?

25 WITNESS FULLER: The CI checklist has thirty-eight

#19-2-SueT

1 attributes on it, although not all attributes on any given  
2 hanger may be applicable.

3 JUDGE KELLEY: I understand. But is an attribute,  
4 as you are using it now, like porosity or is it like parts of  
5 a hanger?

6 WITNESS HATE: No. And then on welds we are just  
7 using it as a weld joint.

8 JUDGE KELLEY: All right. That's what I wanted to  
9 know. Thank you.

10 BY MR. EDDLEMAN: (Continuing)

11 Q Now, let me see if I can be clear on this. Mr.  
12 Fuller, among those thirty-eight attributes are all of the  
13 joints on the hanger that are welded, are they separate  
14 attributes among those thirty-eight?

15 A (Witness Fuller) I think we are talking about two  
16 different things. For CI, there are thirty-eight check points,  
17 although some may not be applicable to every hanger.

18 Q All right.

19 A From the QC point of view, every welded joint is an  
20 attribute. Now, to get a successfully inspected joint, then  
21 it should have the correct amount of porosity, undercut, size,  
22 the whole weld inspection criteria. Although that goes into  
23 one attribute from the QC point of view.

24 Q Okay. The acceptability of each individual weld  
25 joint is one attribute?



#19-3-SueT 1

A That's correct.

2

Q Okay. And about how many weld joints are there on a typical pipe hanger that the QC inspects?

3

4

A That question is almost unanswerable. I don't know if there is such a thing as a typical pipe hanger.

5

6

Q Okay. Are there typically several? More than one or two?

7

8

JUDGE KELLEY: Let me ask you how this relates to the question I asked?

9

10

MR. EDDLEMAN: Judge, it doesn't relate to questions you asked; it relates back to the questions that Judge Bright asked about attributes and then the follow-up about how many percent of the attributes pass and so on, not to your question.

11

12

13

14

15

JUDGE KELLEY: All right. Go ahead.

16

17

WITNESS FULLER: I would guess five, but that could range all the way from one to a hundred.

18

19

MR. EDDLEMAN: All right. That's all.

20

JUDGE KELLEY: Fine. Redirect, Mr. Baxter?

21

REDIRECT EXAMINATION

22

BY MR. BAXTER:

23

Q Mr. Hate, the several times today that Mr. Eddleman has introduced exhibits -- I think 22, 41 and 46 -- which were CP&L reports to the NRC about problems identified as Items 72, 95 and 96, are those three items covered in the

24

25

#19-4-SueT<sup>1</sup>

2 discussion of deficiencies in your prefiled written testi-  
3 mony?

4 A (Witness Hate) Yes, they are.

5 Q And I think Mr. Fuller probably covered this.  
6 But when subsequent additions of these reports are filed  
7 listing corrective actions, that doesn't imply, does it, the  
8 corrective actions were initiated or undertaken at the time  
9 of the follow-up report?

10 Mr. Fuller?

11 A (Witness Fuller) That's correct.

12 Q Mr. Timberlake, Mr. Eddleman was asking you, I  
13 think it was yesterday, about inspecting for porosity and  
14 the potential that porosity in a weld could lie beneath the  
15 surface.

16 Is that a safety concern? And, if not, why not?

17 A (Witness Timberlake) Porosity in welds, using  
18 the process that we use which is primarily a shielded metal  
19 arc process, in layman's terms, a stick welding, normally  
20 the only porosity that you get with that process could be  
21 when the arc is initiated at the start of the electrode, and  
22 that type of porosity is normally very minor and would be  
23 visible on the surface through visual examination.

24 Q Mr. Fuller, there have been references several  
25 times over the course of the two days to problems that the  
NRC resident inspector found in September 1980. Would you

#19-5-SueT1

1 clear up the record for us as to exactly what the resident  
2 inspector found versus what the Company found on its own?

3 A (Witness Fuller) All of this is based on the  
4 inspection reports that I have read at the time, and the  
5 various notes and memos, on that particular subject, since  
6 I was not involved in the 1980 reinspection until about mid-  
7 way through it. But based on the inspection reports, what it  
8 appears the NRC inspector found was one case where the weld  
9 that existed in the field was not the same type as what had  
10 been called for on the drawing.

11 He also found one case that looked like a little  
12 sloppy drafting on a drawing where it looked like both a  
13 full penetration weld and a fillet weld had been called for,  
14 it being on the same joint.

15 And I believe he also found several instances on  
16 two different hangers where there were more sides welded than  
17 not. Now, that was not per the drawing, so that's what the  
18 concern was.

19 Now, from this CP&L, within days, undertook a  
20 surveillance or a review of hundreds of drawings looking for  
21 weld symbols. Oh, incidently the NRC inspector on this par-  
22 ticular concern that was raised did not note any weld defects.  
23 The weld defects are items that were determined by CP&L when  
24 they went out and reinspected the hangers.

25 So, the NRC pointed out a problem or asked a question,

#19-6-SueT 1 and CP&L took the ball there and began doing the review of  
2 the weld symbols on the drawings to determine the extent of  
3 the problem, went out in the field and began reinspecting  
4 hangers to see if there was a problem that existed there,  
5 and ultimately expanded it to include all the hangers that  
6 are described in our June 11, 1981 final report.

7 Q Mr. Timberlake, there was substantial discussion  
8 with you about the training of welders, including some of  
9 the written materials that you had prepared for classes you  
10 presented.

11 Could you tell us to what extent the outlines  
12 that were discussed here and are in the record reflect the  
13 extent of the information you communicated to the welders  
14 during those classes?

15 A (Witness Timberlake) Yes. When I prepare an out-  
16 line, it's primarily for my use and to convey to the train-  
17 ing record what the major points of the training class are  
18 that are covered. And I usually go into much more depth,  
19 because I'm very familiar with what I'm talking about in the  
20 training class and will expand upon the outline that you will  
21 see -- that we have seen -- typically in these hearings.

22 Q There was some questioning also of the time that  
23 has been spent and the periods covered by the documents that  
24 Mr. Eddleman introduced.

25 Are these classes the initial exposure of these

#19-7-SueT1 welders to the subjects you are addressing in those classes?

2 A No, they are not.

3 Q And what kind of training have they had previous  
4 to these classes?

5 A Well, when a welder is hired at the Harris site,  
6 they are required to pass a welding test which determines  
7 their ability to deposit sound welds. The testing is done  
8 in accordance with applicable codes for pipe hanger welders.  
9 It would be ASME, Section 9, and if they pass this test they  
10 will receive training at that point to indoctrinate them  
11 into site procedures.

12 And once they are welding in the field they will  
13 become a part of our ongoing training program.

14 Q And the training that had been discussed from  
15 this documentation introduced by Mr. Eddleman is part of the  
16 ongoing training program and not the initial training?

17 A That's correct.

18 Q Mr. Hate, there was some discussion about the  
19 training given to the QC welding inspectors as well. Could  
20 you briefly outline for us the training that those people  
21 receive before they are allowed to perform QC welding in-  
22 spections?

23 A (Witness Hate) Yes. Training is broken out into  
24 two categories. We have classroom training as well as on-the-  
25 job training. They have to go to a minimal of nine hours of

#19-8-SueT

1 classroom training and a minimum of eighty hours of on-the-job  
2 training.

3           Some of these hours can be reduced based on the  
4 inspector -- or the potential inspector having prior work  
5 experience that is directly related to this activity.

6           In addition to that, on an average he goes through  
7 one week of reading, and once he goes through this training  
8 then he has to pass written test. And that itself takes a  
9 considerable amount of time.

10           Pipe hanger inspectors normally have prior back-  
11 ground experience even before coming to the site.

12           Q     And is there ongoing training after they are  
13 initially qualified to be welding inspectors?

14           A     Once they are qualified, we continue to perform  
15 supervisory checks of their performance. Once an inspector  
16 is qualified, we run weekly supervisory checks and as we  
17 develop confidence in that inspector we back it off to a  
18 monthly check.

19           In addition to that, they also go through weekly  
20 ongoing training.

21           Q     Thank you. Mr. Fuller, can you draw any relation-  
22 ship between the fact that at one point NCR, DDR and DR forms  
23 were used with the pipe hanger welding and inspection pro-  
24 blems discussed in your testimony?

25           A     (Witness Fuller) I know of no connection.

#19-10-SueT

1 Q Mr. Hate, I've provided you and the parties and  
2 the Board and the Reporter with a copy of a letter from  
3 Carolina Power and Light Company, dated June 1, 1982, to  
4 Region II of the NRC, signed by Mr. Banks. And attached to  
5 the back is a second letter, July 30, 1982.

6 Are these both responses to NRC I&E reports 82-03  
7 which were previously introduced as Eddleman Exhibit 43?

8 A (Witness Hate) Yes, they are.

9 MR. BAXTER: Mr. Chairman, that Eddleman exhibit  
10 was admitted with the stipulation that Applicants' response  
11 would be also received into evidence.

12 And I ask that this document be marked for  
13 identification as Applicants' Exhibit 25 and received into  
14 evidence.

15 JUDGE KELLEY: The motion is granted.

16 (The above-referred to document is  
17 marked as Applicants' Exhibit 25  
18 for Identification and received  
19 into evidence as Applicants' Exhi-  
20 bit Number 25.)

21 MR. BAXTER: I have no other questions.

22 JUDGE KELLEY: Okay. Anything else, Mr.

23 Eddleman?

24 MR. EDDLEMAN: Just a couple.

25 JUDGE KELLEY: Okay.

6:00  
EVENING SESS.

19-11-SueT

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1 RE CROSS EXAMINATION

2 BY MR. EDDLEMAN:

3 Q Mr. Hate, are all of the requirements for inspector  
4 training and checking on the inspectors working the field  
5 that you just described for Mr. Baxter, were those always  
6 applicable for pipe hanger weld inspectors at Shearon Harris?

7 A (Witness Hate) I will answer your question in two  
8 parts. The first is training. Yes, we've always had a train-  
9 ing program, and the requirements have always been there in  
10 existence.

11 As far as supervisory checks of pipe hanger in-  
12 spectors are concerned, we addressed that in our testimony.  
13 That was part of the corrective action that was initiated  
14 in the middle of '82.

15 Q Mr. Baxter asked you whether the NRC reports or  
16 problems to the NRC in Eddleman Exhibit 2 and some others  
17 were discussed in your testimony, and you said yes. Can you  
18 tell me where in your testimony that's discussed?

19 A I would like to take you to Page 17 of my testimony,  
20 starting from Question 27 which is the last line on that  
21 page.

22 Q Okay.

23 A And I would like to take you to the top of Page 20.  
24 I'm sorry, the bottom of Page 20.

25 Q The end of Answer 30?



VENING SESS. 1

A Yes, that's correct.

#19-12-SueT 2

3 Q Mr. Timberlake, in this stick welding as regards  
4 porosity, could the angle of the stick or the welding rod or  
5 the arc link have any impact on the formation of porosity in  
6 welds on these hangers?

7 A (Witness Timberlake) The angle of the electrode  
8 wouldn't normally. Arc link could have some -- it could lead  
9 to some porosity, yes.

10 Q And is spatter sometimes an indication of excessive  
11 arc link?

12 A Not necessarily, no.

13 Q Can it be?

14 A It can be, yes.

15 MR. EDDLEMAN: Thank you. No more questions.

16 JUDGE KELLEY: Okay. Gentlemen, that takes us  
17 through the process as far as you are concerned. Mr. Hate is  
18 a veteran by now. And we do very much appreciate your coming  
19 and your patience and your attention and your answers.

20 Thank you very much. You are excused.

21 (The panel of witnesses stood aside.)

22 There is one thing that we want to note before we  
23 break up here, and I think we will in just a minute. We  
24 would appreciate it if everyone could just look around to  
25 the left and right and front and back, and if there is paper  
and things just pick them up. We have this very nice room

EVENING SESS.

#19-13-Sue

1 here as a matter of grace and not as a matter of right. And  
2 we did exasperate some people recently by not picking up paper  
3 and soda cans and what not. So, if you would take a look  
4 around and cooperate with us in that regard we would appreciate  
5 it very much.

6 Is there anything else we need to raise before  
7 quitting for tonight? Mr. Eddleman?

8 MR. EDDLEMAN: I can't think of anything off,  
9 Judge Kelley.

10 JUDGE KELLEY: Okay. Mr. Barth?

11 MR. BARTH: Nothing from the Staff, Your Honor.

12 JUDGE KELLEY: Okay, Mr. Baxter?

13 MR. BAXTER: I'm sorry, two things.

14 JUDGE KELLEY: Oh, well, we are not quite through.  
15 Premature. This goes back and forth until it exhausts itself.

16 MR. BAXTER: Oh, no, no, no. I have no more  
17 questions for the witnesses.

18 JUDGE KELLEY: Oh, that's good.

19 MR. BAXTER: I just have two closing --

20 JUDGE KELLEY: You have two closing matters? Okay.

21 MR. BAXTER: Two closing matters. I would like at  
22 this time to ask the Board to reconsider its determination  
23 to call as one of the four subpoenaed witnesses Mr. Charles  
24 French. It has come out several times today that we have  
25 objections to interrogating witnesses on HVAC, cable tray and

#15-14-SueT

1 electrical supports as outside the scope of Contention 41  
2 which we view as being limited to pipe hanger welding. Mr.  
3 French has had no involvement with pipe hanger welding or  
4 inspections. His only background is with other kinds of  
5 supports.

6 And it has been my impression today that our  
7 objections were well received, and I would ask that the Board  
8 then rule that Mr. French need not come here tomorrow. And  
9 if you would like to ask him, he is the same Mr. French who  
10 was subpoenaed on concrete. So, he has been previously sworn,  
11 and he is here.

12 But if we can establish that and allow him to go  
13 back to work tomorrow that would be helpful.

14 JUDGE KELLEY: We argued this matter, related  
15 matters, way back in the management hearing I think, wasn't  
16 it?

17 MR. BAXTER: Yes.

18 JUDGE KELLEY: I just don't recall the argument  
19 over Mr. French and what we may have said. If you have got  
20 a citation maybe you could summarize and the other parties  
21 may wish to comment, too.

22 In being asked to reconsider, I just have trouble  
23 remembering what we thought in the first place, so to speak.  
24 And maybe if it's brief, you can refer us to it.

25 MR. BAXTER: I can hand it to you.

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JUDGE KELLEY: We may have some compelling reason  
for calling Mr. French or sustaining Mr. Eddleman's desire  
to call him.

Can we just take a minute here?

(The Board members are conferring.)

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JUDGE KELLEY: What I am looking at up here for the benefit of Mr. Eddleman and Mr. Barth, Mr. Baxter brought me up a copy of a management transcript where this particular ruling was delivered, and I just glanced down the page. This particular page -- I could take more time and look at it more -- but do you recall, any of you, whether we talked about the particular people in detail.

Whether Mr. French's connection or non-connection with pipe hangers was gotten into?

MR. EDDLEMAN: Judge, I don't believe that we went over each of them in great detail. I have here my areas of inquiry and document list for Mr. French, and I would note that on the document list appear FCR-H-979, FCR-H-979 justification, FCR-H-286, all of which we discussed today, the FCRs and PWs listed on page 6 of the August '84 document list on Contention 41, that is the handwritten version, not the typed version, and Applicants Interrogatory Responses on Contention 41.

The questions have to do with approval of FCRs and PWs primarily, and the analysis that is necessary to do that.

JUDGE KELLEY: Let me just ask. Were you aware whether or not Mr. French was actually involved in pipe hangers?

MR. EDDLEMAN: Well, I got discovery on a lot

1 of things about hangers, and some of them were HVAC and  
2 other hangers.

3 I didn't check for sure to make sure that Mr.  
4 French was on this one or that one.

5 JUDGE KELLEY: I gather then we didn't really  
6 focus on this back in September, and it is being raised  
7 now. Having heard now from Mr. Baxter, and we can ask  
8 Mr. French if you wish, do you want determine direct from  
9 Mr. French about his involvement or not with pipe hangers,  
10 Mr. Eddleman? We could do that.

11 MR. EDDLEMAN: Well, I think if Applicants wanted  
12 to object to this as distinct from it, they would have to  
13 show why the documents that I mentioned that were already  
14 prefiled as things I wanted to examine him about and the  
15 questions are irrelevant to the contention. It is not --

16 MR. BAXTER: No, that is not it. It is that  
17 the documents that you prefiled that have to do with  
18 pipe hangers, Mr. French isn't going to know anything about  
19 them, and hasn't done anything with them. The documents  
20 you prefiled that have to do with HVAC electrical and  
21 conduit supports, we do object to asking questions of any  
22 witness about.

23 JUDGE KELLEY: Let me just ask how they got in  
24 the picture at all under this particular contention?

25 MR. BAXTER: At the very beginning, when the

1 50.55.E report was written on pipe hangers, the Company  
2 decided to from there to look at welding elsewhere on  
3 the site, and the same report wrote up some problems found  
4 in other areas.

5 And we simply to avoid the number of discovery  
6 disputes we already had from getting larger, gave Mr.  
7 Eddleman some of the documentation behind that as well as  
8 on the pipe hangers.

9 JUDGE KELLEY: Thank you. With that background,  
10 though, Mr. Eddleman, let's project ourselves into  
11 tomorrow, if Mr. French in fact knows nothing about  
12 pipe hangers, and if you are going to get objections on  
13 questions that don't relate to pipe hangers, why bring  
14 Mr. French?

15 MR. EDDLEMAN: Well, I think I have questions  
16 here that do relate to pipe hangers, and I would rather  
17 take the objections when they come up.

18 MR. BAXTER: I am representing that he has never  
19 worked on pipe hangers.

20 JUDGE KELLEY: That is the point that is being  
21 made.

22 MR. EDDLEMAN: Has he had anything to do with  
23 those --

24 JUDGE KELLEY: Why don't we put him on briefly.  
25 He is right here, and let's ask him if he knows anything

1 about pipe hangers.

2 Will you bring Mr. French up?

3 Whereupon,

4 CHARLES S. FRENCH,

5 a witness introduced on behalf of the Applicant, having  
6 been previously sworn, testifies as follows:

7 JUDGE KELLEY: You fellows can leave, or sit  
8 in the audience, or whatever you wish.

9 JUDGE KELLEY: Mr. French, you were on a prior  
10 panel, right?

11 WITNESS FRENCH: Yes, sir.

12 JUDGE KELLEY: So you were sworn earlier in the  
13 case. Let me just ask a couple of preliminary type  
14 information questions.

15 You have heard the discussion general, and you  
16 know whst we are talking about. Where do you now work  
17 at Shearon Harris?

18 WITNESS: I am now working the Electrical  
19 Construction Engineering Department.

20 JUDGE KELLEY: In that connection, do you work  
21 on pipe hangers at all?

22 WITNESS: No, I do not.

23 JUDGE KELLEY: Have you ever worked on pipe  
24 hangers at Shearon Harris?

25 WITNESS: I never have.

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1 JUDGE KELLEY: Mr. Eddleman, do you want to  
2 probe this a bit?

3 CROSS EXAMINATION

4 BY MR. EDDLEMAN:

5 Q Mr. French, have you seen the document list that  
6 I prepared for use in asking you questions on Contention 41?

7 A Yes, I have.

8 Q Did you have anything to do with the preparation  
9 or approval of FCR-H-979?

10 A No, I did not.

11 Q How about FCRAS-4294?

12 A I do not have that in front of me. I left it  
13 back in the back area there.

14 Q Do you remember whether you had anything to do  
15 with preparing or approving it?

16 A Let me take a look at it first before I answer  
17 that, please.

18 JUDGE KELLEY: It seems to me if the witness  
19 says he has never worked on pipe hangers.

20 WITNESS: I don't believe I have. All I have  
21 to do is look at the document briefly, and I will be able  
22 to tell you for sure.

23 FCRAS-4294, I did not have anything whatsoever to  
24 do with that particular document.

25 BY MR. EDDLEMAN: (Continuing)

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1 Q What about FCRH-286?

2 A No, I do not.

3 Q All right. Do you have the list of documents  
4 on Contention 41, the various PWs and FCRs listed there?

5 MR. BARTH: Your Honor, there are a 146 documents  
6 on this list. He answered your question which you asked  
7 him, absolutely and directly, that he never had anything  
8 to do with it. For the Staff, that is good enough for us,  
9 and I see no reason to bring him.

10 JUDGE KELLEY: What is the point of pursuing  
11 this, Mr. Eddleman. It escapes me.

12 MR. EDDLEMAN: I want to know --

13 JUDGE KELLEY: Unless you doubt the man's word  
14 that he worked on pipe hangers.

15 MR. EDDLEMAN: I am not doubting his word. I  
16 want to know if he had anything to do with these FCRs  
17 and PWs that are on these lists?

18 MR. BAXTER: But if they don't have anything  
19 to do with pipe hangers, then they are irrelevant, too.

20 MR. EDDLEMAN: Well, we haven't established that.

21 MR. BARTH: The contention establishes that,  
22 Your Honor.

23 MR. BAXTER: If any of those documents relate  
24 to pipe hangers, then by virtue of his previous testimony,  
25 he doesn't have any knowledge about them, because he hasn't

1 worked on pipe hangers.

2 JUDGE KELLEY: The paper you got in discovery  
3 isn't necessarily admissible in this case.

4 MR. EDDLEMAN: I understand that, Judge. Maybe  
5 there is a question that I can ask him that will clear  
6 this up.

7 JUDGE KELLEY: Okay, try it.

8 BY MR. EDDLEMAN: (Continuing)

9 Q Did you have anything to do at all, at any time  
10 in your work at the Harris Plant, Mr. French, in preparing  
11 or approving PWs or FCRs that might cover pipe hangers?

12 A No, I did not.

13 MR. EDDLEMAN: That takes care of it. I don't  
14 have any objection. You don't have to bring him in.

15 JUDGE KELLEY: Fine, thank you. So you are  
16 excused. Thank you, Mr. French.

17 WITNESS: Thank you, Mr. Chairman.

18 WITNESS STANDS ASIDE.

19 JUDGE KELLEY: With that, let's resume at --

20 MS. FLYNN: Excuse me. Mr. Chairman, one small  
21 matter. Yesterday, Mr. Runkle distributed a motion to  
22 reopen the management record on behalf of the Joint  
23 Intervener, and the Board asked the Staff and Applicants  
24 to tell the Board how we would like to respond, and asked  
25 us to do that today.

1 Applicants would like to respond in writing,  
2 and request that that be filed ten days after the conclusion  
3 of this hearing.

4 We would also like, however, to make some brief  
5 comments in response orally on the record at some time  
6 when it is convenient for the Board during the course of  
7 this hearing.

8 JUDGE KELLEY: What about right at the end?

9 MS. FLYNN: That would be fine.

10 MR. BARTH: Or, Your Honor, could I suggest we  
11 might make it the first point of business tomorrow morning  
12 before we start the Staff's panel, or the subpoenaed  
13 witnesses.

14 MS. FLYNN: Whichever the Board prefers.

15 MR. EDDLEMAN: I don't know if Mr. Runkle is  
16 going to be here first thing tomorrow morning. If you  
17 adopt that course, I will have to notify him. I will try.  
18 I am not sure I can reach him.

19 JUDGE KELLEY: It would be better to have Runkle  
20 here I would think. Do you think you could get in touch  
21 with him?

22 MR. EDDLEMAN: I am not prepared to assign a  
23 high probability to it. I will try.

24 JUDGE KELLEY: Well, that doesn't strike us  
25 as terribly important one way or the other when it is done.

1                   Why not at the end, Mr. Barth. Is there some  
2 strong reason to not just do it at the end?

3                   MR. BARTH: No real strong reason, Your Honor.  
4 It would seem to me to be the logical place to do it,  
5 and I have no objection when we do it.

6                   JUDGE KELLEY: It is a more definite time, I  
7 grant you that, but it is desirable to have him here. Could  
8 you make some best effort to call him yourself tomorrow  
9 morning and tell him that this may come up, and if you  
10 want to schedule some time, two o'clock tomorrow afternoon,  
11 or whenever he can come, that is all right, too.

12                   MS. FLYNN: I will try that. Thank you.

13                   JUDGE KELLEY: Okay. Get everything picked up,  
14 and we will adjourn until tomorrow morning at 9:00.

15                   (Whereupon, at 6:20 p.m., the hearing adjourned,  
16 to reconvene at 9:00 a.m., Thursday, November 15, 1984.)

17                   \* \* \* \* \*

18 End 20.

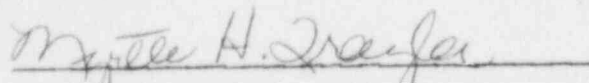
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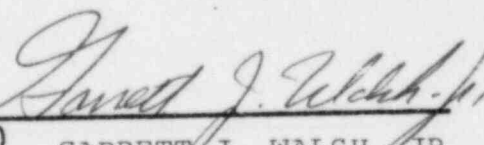
This is to certify that the attached proceedings before the UNITED STATES NUCLEAR REGULATORY COMMISSION in the matter of:

NAME OF PROCEEDING: SHEARON HARRIS NUCLEAR POWER PLANT

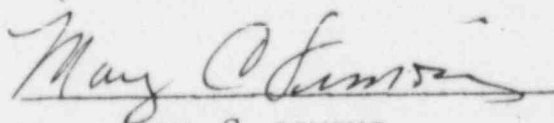
DOCKET NO.: 50-400-OL & 50-401-OL  
PLACE: RALEIGH, NORTH CAROLINA  
DATE: Wednesday, November 14, 1984

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission.

  
MYRTLE H. TRAYLOR  
Official Reporter

(Sigt)   
(TYPED) GARRETT J. WALSH, JR.  
Official Reporter

Reporter's Affiliation: ACE  
Federal Reporters.

  
MARY C. SIMONS  
Official Reporter