

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE NUCLEAR REGULATORY COMMISSION

In the matter of)
)
PACIFIC GAS AND ELECTRIC)
COMPANY)
)
(Diablo Canyon Nuclear Power)
Plant, Units 1 and 2))
)

Docket Nos. 50-275
50-323

AFFIDAVIT OF LARRY KINNEY

State of *Idaho*)
)
County of *Kootenai*)
City of *COEUR d'ALENE*)

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The above being duly sworn deposes and says:

K My name is Larry (Doc) Kinney. I am submitting this statement freely and voluntarily, without any threats, inducements or coercion to Mr. Thomas Devine. This affidavit charges material false statements by Pacific Gas and Electric (PGandE) in response to my previous allegations to the NRC.

1. PGandE's response in DCL 239 to allegation JIR 75 offered innuendos about my motives in waiting 11 years to make the allegation that are easy to answer: during all that time no one else had asked me, before Mr. Devine showed the interest in checking on the quality of early concrete pours.

2. PGandE's response in DCL 239 to allegation JIR 76 -- in which the utility defended its failure to notice that I had signed the names Donald Duck, Mickey Mouse, Roy Rogers and Gene

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Autry as the inspectors by claiming that the drawings were merely "payment sepias" for billing purposes -- was false. I was talking about final, as-built drawings which controlled the work, were perceived as quality control records by management at the time and had to be signed off before the work could proceed.

3. PGandE's response to JIR 77 -- reliance upon the opinion of an unabashed management "yes man" on the P.T.L. crew to claim lack of pressure on inspectors -- is false, to the degree that Pacific Testing Labs inspectors, whom I can identify, had to work out schemes for me to "accidentally" find and report defects that they had been prevented from writing up.

4. PGandE's response to JIR 78 -- that the utility supported inspectors when they wrote up contractors -- is misleading, since I was verbally abused for writing up infractions of PGandE itself, whose supervisors ordered me to tear up one report and harassed me until I was so fed up that I decided to simply stop fighting them and leave.

5. PGandE's response to allegation JIR 78 -- that my logs do not reflect occasions when I was overridden -- is misleading, since supervisors ordered me not to write up anything and the disputes never made it as far as the log, such as when supervisors whom I can identify told me not to write up anything on defective cadwelds and reinforcement bars in the containment that I previously had refused to accept because they did not meet specifications. K

6. QC inspectors from 1971-73 responded to management's hostility against formal reports by retreating to informal, undocumented repairs, since we could get more problems addressed in some manner that way.

7. PGandE's response to my allegation of advance warnings before the NRC arrived -- that announced inspections are part of the normal regulatory program -- is misleading, since my point was that there was never an unannounced inspection -- we always had advance warning of when the NRC would come and where they would look, which explains why in my experience the NRC visits never had any impact nor led to any changes in work practices on-site.

8. Another portion of PGand E's response to allegation JIR 80 -- that management instructed us to cooperate with the NRC during inspections -- was misleading, since I can identify the PGandE supervisors who ordered me not to ask questions, not to volunteer anything, and to confine my answers to the literal boundaries of questions by the NRC, even if I had more relevant information.

I have read the above three page affidavit and it is true, accurate and complete to be best of my knowledge and belief.

County of Kootenai

Larry Kinney
Larry Kinney

On this 4th day of March, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared Larry Kinney known to me to be the person(s) who signed the foregoing instrument and acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Neil Adam
Notary Public for Idaho
Coeur d'Alene, Id
Residing at