

1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION  
3 OFFICE OF INVESTIGATIONS  
4

5 -----  
6 In the Matter of: :  
7 Investigative Interview of: :  
8 JOHN Y. LATIMER :  
9 (CLOSED) :

10 -----  
11  
12 Holiday Inn Airport  
13 I-85 and Little Rock Road  
14 Charlotte, North Carolina  
15 Thursday, February 3, 1994

16 The interview commenced, pursuant to notice, at  
17 5:19 p.m.

18  
19 APPEARANCES:

20 FOR THE NRC:  
21 James D. Dockery, Senior Investigator  
22 Office of Investigations, Region II  
23 101 Marietta Street, Suite 2900  
24 Atlanta, Georgia 30323

25 EXHIBIT 5  
PAGE 1 OF 9.3 PAGE(S)

9602210146 960201  
PDR FOIA  
LATIMER96-32 PDR

9602210 146  
ANN RILEY & ASSOCIATES, LTD.  
Court Reporters  
1612 K Street, N.W., Suite 300  
Washington, D.C. 20006  
(202) 293-3950

Recd. 2/11/94  
JE

PROCEEDINGS

(5:19 p.m.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. DOCKERY: For the record, the date is February 3rd, 1994. It's approximately 5:20 p.m. The location of this interview is the Holiday Inn, the Airport, I-85 and Little Rock Road, in Charlotte, North Carolina.

And Mr. Latimer would you identify yourself for the record, please.

MR. LATIMER: My name is John Y. Latimer.

MR. DOCKERY: And could you spell your last name, please.

MR. LATIMER: L-a-t-i-m-e-r.

MR. DOCKERY: Okay. The interview is being conducted by Senior Investigator James D. Dockery, the Nuclear Regulatory Commission, Office of Investigations, Region 2, in Atlanta.

Mr. Latimer, at this time I would like you to raise your right hand.

(Witness sworn.)

EXAMINATION

BY MR. DOCKERY:

Q Mr. Latimer, let's start with your educational background.

A All right. From high school?

Q College.

1           A     College. I went to Clemson University in 1965,  
2 graduated in 1969, with a degree in metallurgical  
3 engineering. Also went to the University of South Carolina  
4 in 1971, and I believe I graduated in 1972 with a Master's  
5 in Business Administration.

6           Q     What we are here to discuss today is your  
7 employment by Carolina Power and Light. When did you first  
8 begin your employment with that licensee?

9           A     Started to work with them in 1973.

10          Q     So you were basically right out of your master's  
11 program.

12          A     No, I got out of my master's program, excuse me,  
13 1983. I'm sorry.

14          Q     Oh, '83.

15          A     In 1983.

16          Q     Had you worked in the nuclear industry prior to  
17 that?

18          A     I worked with Daniel Construction Company,  
19 building nuclear power plants. I was at Jenkinsville for  
20 three years. That was for South Carolina Electric and Gas,  
21 was actually building it. I worked at Virginia Electric  
22 Power Company, up in Surrey, Virginia, for about three-and-  
23 a-half years, where we did the steam generator change-out on  
24 both units. I've worked various other nuclear plants though  
25 Daniels corporate office.

1 Q In 1983 you went to work for Carolina Power and  
2 Light?

3 A That's correct.

4 Q Were you employed at the corporate offices or at  
5 one of the plants?

6 A I was employed at H. B. Robinson Plant, in  
7 Clarksville, South Carolina.

8 Q What was your position when you began work?

9 A When I began work there I was a welding engineer  
10 for the whole construction unit, who were getting ready to  
11 do the steam generator change-out at Robinson plant.

12 Q During your employment by CP&L, did you ever have  
13 any personnel problems, employment problems?

14 A None whatsoever.

15 Q Why don't you take me from 1983, up until the time  
16 period that we're basically here to discuss.

17 A If I can remember the dates. The dates may be a  
18 little off, but I worked at the -- went to work in 1983 in  
19 the construction department. In 1984 we did the steam  
20 generator change-out. Shortly after that, which would have  
21 been probably 1985, I went to work for the maintenance unit  
22 of the Robinson plant, and was welding engineer for the  
23 maintenance unit.

24 And then, while I was in the maintenance unit, I  
25 also took back over the responsibilities of the welding

1 engineer in the construction unit. So I had welding  
2 engineering responsibilities for all the whole plant. Not  
3 just maintenance, but also construction.

4 Then, later on, while I was still in the  
5 maintenance department, I also took over the  
6 erosion/corrosion. When it was first starting off, I had  
7 the erosion/corrosion program.

8 From that they had some reorganization changes  
9 company-wide, and I ended up going to the technical services  
10 department, which was basically the engineering branch of  
11 H.P. Robinson. And there I had the welding engineering and  
12 also the erosion/corrosion, and at that point, that's where  
13 I left in 1992.

14 Q When did you first become involved in the  
15 erosion/corrosion work?

16 A That would have been I think around 1977 -- no,  
17 excuse me, 1987, 1988.

18 Q At that time who was your supervisor?

19 A At that time the supervisor was Russell Powell.

20 Q As you know, I'm no technical expert, so as simply  
21 as you can, what was the nature of the erosion/corrosion  
22 program? What were you involved in doing.

23 A The erosion/corrosion program initially started  
24 off in the wet steam systems, which would have been your  
25 extraction steam, some of your low pressure, really

1 contaminated steam. It wasn't pure steam, like your main  
2 steam would be, which is a 100 percent steam; this had some  
3 actual water in it. And that's where your damage occurs, in  
4 that portion of your erosion/corrosion. It actually  
5 impinges on the wall and actually takes part of the wall  
6 away, so you got a reduced wall.

7 Then, later on, when the Surrey incident happened,  
8 where they ended up killing, I believe, four or five people,  
9 the feed water pipe up there ruptured.

10 Q When did that happen, Mr. Latimer, to the best  
11 that you recall?

12 A Oh, I'd probably be way off on that.

13 Q That's all right.

14 A Seventy-eight, seventy-nine. Oh, '88, '89.

15 Q Okay. Was the erosion/corrosion program something  
16 that you had the technical and educational background to  
17 deal with?

18 A I've never had anything to do with  
19 erosion/corrosion before I took it over.

20 Q Was it a -- was it primarily a metallurgical  
21 concern?

22 A It wasn't really a metallurgical concern as I  
23 guess you would define it. But it depended upon the  
24 material, whether it was carbon steel, whether it was chrome  
25 alloy, or whether it was stainless, the percentage flow, the

1 and had also started the erosion/corrosion program. So when  
2 I went over to maintenance, I took over his jobs.

3 Q Was there any particular reason why you were  
4 selected for it as opposed to any other engineer, from any  
5 discipline?

6 A Well, like I said, I had no background in  
7 erosion/corrosion. I had background in being a welding  
8 engineer, because that's what I'd done all my life.

9 Q Did you mind taking over that assignment?

10 A No, not particularly. The workload at that time,  
11 only thing I had was the welding engineering function for  
12 the maintenance department. The maintenance department  
13 maybe does 5 percent of the welding at the plant. And so  
14 the taking over the erosion/corrosion didn't -- you know, I  
15 didn't have any problems with doing that, because I had  
16 plenty of time for that.

17 So I had left the construction department, left  
18 the duties of the construction department, and just went and  
19 took the -- the minor duties of welding engineering in the  
20 maintenance department.

21 Q So you were wearing two hats at the time, then; is  
22 that right?

23 A Correct.

24 Q Did you have anybody working with you?

25 A No, not other than the people that came in there

1 that did the UT work, and the people, you know, they take  
2 the insulation off and clean the piping, and such things as  
3 that.

4 Q Would they have been more in the area of  
5 technicians?

6 A Technicians, mechanics.

7 Q And I would assume that you had responsibility to  
8 oversee what they were doing?

9 A Correct. Yeah, I had to make sure that they took  
10 the insulation off in the right places, and it was cleaned,  
11 and the UT people out there actually doing what they were  
12 supposed to do. And they would map -- they would map the  
13 elbow or T or piece of pipe, or whatever it was, and bring  
14 it back to me, and I would look at it.

15 Q Any problems?

16 A Yeah, lots of problems.

17 Q What kind?

18 A Piping falling apart. Failures. Near failures.  
19 What you would normally expect in a plant that was that old,  
20 which had never been checked before.

21 Q Let me make sure I understand that. Was it a  
22 relatively new program?

23 A Yes, it was new. The plant had been in operation  
24 since 1971, I believe. Or, '69 they went on. Between '69  
25 and '71.



1 Q So there had been quite a bit of time for this  
2 erosion and corrosion to take place.

3 A Right.

4 Q Was it the Surrey incident that you referred to  
5 that caused people to realize the need for this program?

6 A No. This, this program was realized before that,  
7 but it was only realized in the wet steam systems. What  
8 happened at Surrey happened in a feed water system, and that  
9 was a 100 percent water. There was no steam whatsoever.  
10 And, industry-wide, they had never had that phenomena occur  
11 before, you know, in a solid water system.

12 Q I guess it would be fair to say, then, that the  
13 erosion/corrosion concern was a health and safety concern  
14 if, as you say, individuals were killed as a result of  
15 deficiencies.

16 A Yeah, they were, I think, four or five people  
17 killed at Surrey when the feed water piping ruptured.

18 Q Mr. Latimer, you were ultimately let go by CP&L;  
19 is that correct?

20 A That's correct.

21 Q When did that happen?

22 A It happened in November of '92.

23 Q Were you discharged, or was that a voluntary  
24 separation on your part?

25 A I was discharged. I was asked if I wanted to

1 resign, but I refused to do it.

2 Q Sorry. I've got to check -- you did say 1992?

3 A Yes, 1992.

4 Q We've got the '70s moving in here every once in -

5 -

6 A I get the '80s mixed up, too. Watch me.

7 Q Obviously, if you were discharged for some reason,  
8 a problem developed between you -- or in your employment  
9 relationship with CP&L, or with your supervision or  
10 management. Can you take me back to when that -- your  
11 perception of when that problem began?

12 A I guess it started probably about six months to a  
13 year after I started working for my last supervisor, Warren  
14 Farmer.

15 Q Do you recall or do you have anything that would  
16 indicate when you began working for Mr. Farmer?

17 A I could probably go back and look at, you know,  
18 the -- my evaluations, and I have to -- I have to dig  
19 through this.

20 MR. DOCKERY: Why don't we go off the record for a  
21 minute.

22 (Off the record.)

23 MR. DOCKERY: We're back on the record, and Mr.  
24 Latimer has had an opportunity to review some of the  
25 documentation he brought with him.

1 BY MR. DOCKERY:

2 Q What I would ask you to do, Mr. Latimer, when you  
3 get a chance to go through it more carefully, I'll give you  
4 a call and we'll try and pinpoint when Mr. Farmer first  
5 became your supervisor.

6 A I'll need to write that down.

7 Q Okay.

8 A I think I can find that, without too much trouble,  
9 at home.

10 Q Okay. You stated to me while were off the record  
11 that initially you and Mr. Farmer got along pretty well; is  
12 that correct?

13 A That's correct.

14 Q Do you recall -- I don't think you have it here  
15 with you, but you stated there was probably a performance  
16 appraisal before the one that I mentioned here for the  
17 period of March of '91 to October of '91. Do you recall  
18 what type of rating Mr. Farmer -- First of all, was Mr.  
19 Farmer responsible at that time for doing your appraisals?

20 A Correct, he did the appraisals.

21 Q And do you recall how he rated you on your first  
22 appraisal?

23 A I think they had like unsatisfactory,  
24 satisfactory--I'm not sure what the other one would have  
25 been. It was above satis -- whatever the next rating was

1 above satisfactory. I don't remember whether it was  
2 outstanding or --

3 Q Was there anything at all negative on that first  
4 appraisal regarding your performance?

5 A Not that I can remem -- Well, it may have been,  
6 too.

7 Q Well, I'll assume we'll find it, and we'll be able  
8 to tell from the actual document.

9 A When did the problems between you and Mr. Farmer  
10 begin, and what led up to them?

11 A Well, it was right -- that -- that first  
12 appraisal, if I remember. I started having complainants  
13 about the way some of the piping had been replaced, what I  
14 thought was a total incompetence of some of the work that  
15 their nuclear engineering department was doing, and which  
16 resulted in what I would call premature failures in piping.  
17 They didn't pay attention to some of the recommendations  
18 that -- that Westinghouse made.

19 There was one particular instance where the piping  
20 coming off -- I forgot what it was coming off, now. It was  
21 a excess main steam off the MSRs, and they had a flow  
22 venturi in the line. And on Westinghouse's drawings they  
23 say place the flow venturi as close to the condenser as you  
24 can.

25 Well, CP&L, in their wisdom, placed it almost

1 where it came off the MSRs, and about a foot below that was  
2 an elbow, which is the worst place you want a venturi, to  
3 begin with, is right above the change in direction. And it  
4 actually ended up eating out the elbow. In fact, there was  
5 about three elbows that we had leaks. This was during --  
6 during while we were running. And we, I think, had Farmer  
7 come up there, and they built a box and put them around  
8 there and sealed the leak, to keep on running.

9 Q Do you know who was responsible for making the  
10 determination where the venturi and how this configuration  
11 would be done?

12 A No. I don't remember. I don't know who did that.  
13 It came out of the engineering department. They're the ones  
14 that designed the pipe. And, like I say, on the  
15 Westinghouse drawings there was a note that says place the  
16 venturi as close to as possible to the condenser.

17 Q How did you voice your concerns?

18 A Probably not too tactfully. Because it was -- it  
19 was a pretty hazardous condition. If you would have been -  
20 - fortunately, it was up in the air. But if you would have  
21 been near to it, and if it had blown out, you would have  
22 gotten killed.

23 Q Well, I realize some time has passed, but in as  
24 much detail as you can recall, who did you talk to, and what  
25 did you say, and how did they respond?

1 A That I really remember.

2 Q Was it Mr. Farmer?

3 A I'm sure he would have been one of them, but it  
4 may not have been him.

5 Q Do you know if it would have been somebody above  
6 Mr. Farmer?

7 A I don't -- I don't remember. Just too long ago.  
8 You know, there was a lot of other instances where, you  
9 know, they had problems, too. Where they -- they never  
10 learned from their mistakes.

11 Q Okay. I would assume, from this appraisal that we  
12 do have here, for the period of March through October '91,  
13 that when you first voiced your concerns it probably would  
14 have been either late '90 or very early '91. Does that seem  
15 likely?

16 A Pretty much so. It could've been. It could've  
17 been before that. I'm not a person to hold back when I --  
18 you know, when I see something wrong.

19 Q Were there any changes made as a result of the  
20 concerns you voiced?

21 A We ended up replacing all the piping. We did it  
22 once, to replace the elbows, and ended up replacing the  
23 piping. And then they came back and redesigned the piping,  
24 to put the flow elbows closer to the condenser.

25 Q That would lead me to believe that somebody agreed

1 with you.

2 A Oh, yeah. They fixed the pipe the way it was  
3 supposed to be. And some -- some of it, they changed the  
4 material. Downstream of the venturies they changed it, from  
5 carbon to stainless steel.

6 Q Did your supervisor, Mr. Farmer, ever acknowledge  
7 that you were correct?

8 A No.

9 Q What was his position?

10 A Didn't have any -- didn't have anything to say one  
11 way or another.

12 Q Was anybody else other than you concerned about  
13 this -- my term -- inaccurate configuration?

14 A Other than shutting the plant down. If it'd cause  
15 the plant to shutdown, they were concerned.

16 Q Well, somebody must have taken it to heart, if the  
17 changes were made.

18 A Because it nearly shut the plant down. We had  
19 other instances where they -- they put in -- put in a line  
20 which bleed off the -- let me see, what was it? I'm trying  
21 to think what system it was now. But I believe it also was  
22 the -- it was a feed water pipe, which dumped a condenser.

23 They put in a new system, and there again they put  
24 some venturies, single stage venturi, which dumped into a  
25 lateral -- or it dumped into an elbow on one place and

1 dumped into the laterals right down stream, so they had  
2 three lines coming in. And this lasted -- the piping lasted  
3 four months before it failed. I mean, replaced during and  
4 outage, and four months later we had a blowout.

5 I designed, basically, a patch to go up there, to  
6 keep us running until the next outage. And then they put a  
7 multi-stage orifice in there and also changed the piping to  
8 stainless steel.

9 Q Was anybody but you concerned about this?

10 A I guess it was -- there were people concerned, but  
11 it didn't appear that anybody would take any action to -- to  
12 get people to design the pipe right.

13 Q How about any of your co-workers? Was there  
14 anybody you were -- I mean, it's human nature, when you work  
15 in a big plant like that, to talk to your co-workers and  
16 say, gee, I don't think -- I don't think this is designed  
17 too well, what do you think about it? Or was there anybody  
18 that you more or less confided in?

19 A No. Well, I mean, the people, they -- they would  
20 ask me where not to walk in the plant.

21 Q That would make me believe a few other people were  
22 concerned about it.

23 A They, they were concerned. They didn't want to  
24 get hurt. And that was one of my main concerns. I wasn't  
25 really concerned too much about the plant shutting down. I



1 had enough faith in it that this was on the secondary  
2 siding, and if we lost one of those, the plant could shut  
3 down safely, anyhow. But I certainly didn't want to be  
4 responsible for anybody getting killed.

5 Q That was my next question: How much of a threat  
6 one of these blowouts would represent to, let's say, a power  
7 incident, a power surge incident, or a possibility of a  
8 nuclear release of some kind?

9 A There wouldn't have been any nuclear release on  
10 these, because all this was on the secondary side. You  
11 know, The only thing, you know, you would -- you would have  
12 killed somebody if they would have been in that particular  
13 area at the time and if the pipe actually ruptured.

14 Q To the extent you know, is that what happened in  
15 the Surrey incident?

16 A Yeah. The Surrey incident is well-documented that  
17 you had your feed water. You got a header coming in to go  
18 to your feed water pumps, and you had lines dropping down to  
19 90 and over, and it just wiped out the entire backside of  
20 the elbow, the erosion did, and they had a power transit in  
21 pipe, and it wasn't strong enough to withstand the pressure,  
22 the extra pressure, and it just split -- split open, and  
23 threw one piece, God only know, how far away, and just  
24 filled that area with live steam. And the people in that  
25 area, they couldn't see to get out because they were covered

1 by steam and they were breathing in, you know, 500 degree  
2 steam.

3 Q So you voiced some concerns. Some changes were  
4 made. I'm trying to paraphrase your testimony here. Were  
5 those changes made, do you believe, as a result of you  
6 pointing out the inadequacies?

7 A Not necessarily. Because once, you know, you  
8 found a leak, they knew they had a problem. You got a  
9 leaking pipe and you -- I can say, well, this is why it's  
10 leaking, that we got a problem, you know, they're going to  
11 change it, so it doesn't happen again.

12 But the underlying thing that they -- you know,  
13 they continued to design pipe this way. Or, I don't know  
14 whether it was their lack of knowledge or -- or what, but  
15 pipe was continually designed -- a bad design. I would call  
16 it, the material configurations. And sometimes they didn't  
17 know enough about the system.

18 Q At that time did you put any of your concerns in  
19 writing?

20 A I don't know whether I did or not. I'm sure I  
21 wrote -- wrote notes back and forth, and I made comments on  
22 the mods that would come out. We'd have different  
23 modifications come out, and one of my jobs was to review  
24 those. And one of those was to try -- with my limited  
25 knowledge, is try and point out that, hey, you may have a

1 problem. I can't say for sure, but you may have a problem.  
2 Looks like to me you'd have a problem.

3 Q Was Mr. Farmer responsive?

4 A He was kind of out of the circuit at that point,  
5 because this was -- you know, the nuclear engineering  
6 department was sending me the mod to review, and I would  
7 send my comments back to them. Then we would, you know,  
8 sometimes sit down in a meeting and discuss them, you know,  
9 to resolve them.

10 Q Anybody take exception to your observations on the  
11 situation?

12 A Some of them did, and it got a little bit heated.  
13 But, I mean, not too bad.

14 Q Would you characterize it as just a normal  
15 professional disagreements?

16 A I would -- I would call it that.

17 Q Well, it doesn't sound like at that point your  
18 relationship with Mr. Farmer is too bad, or with anybody  
19 else.

20 A No other than I got a feeling that some of the  
21 nuclear engineering people started complaining to Farmer and  
22 his supervisor and whatever, saying I was being a little too  
23 critical.

24 Q Do you know by name who that may have been?

25 A No. I've got no idea.

1 Q Is that just an assumption on your part, or did  
2 you hear something?

3 A Well, that's -- that's the only thing I can draw  
4 from it. Somebody was complaining that I was being too  
5 tough on them, or whatever.

6 Q How was that voiced to you? How did you find out  
7 that that had been brought up?

8 A Well, when I get an appraisal and it basically  
9 says that there are better forums for me to express my  
10 opinions. Which means, if I've got an opinion, you know,  
11 tell my supervisor, don't tell anybody else. My  
12 supervisor's not going to do anything, you know, that's the  
13 end of it. You know, just be a good soldier and take orders  
14 and that's it.  
15 And that wasn't what I was paid to do. What I was paid to  
16 do was to keep somebody from getting hurt.

17 Q Well, up till that point had you taken your  
18 concerns to Mr. Farmer?

19 A Yes, I had taken them to him.

20 Q How did he react?

21 A Just kind of -- just kind of dismissed it, more  
22 than anything.

23 Q Was he upset that you even brought the matter up,  
24 or did he --

25 A Just kind of didn't bother him one way or another.

1 Q So it wasn't like he got mad at you for pointing  
2 out a potential problem.

3 A No. He's pretty cool. He doesn't -- he doesn't  
4 get mad. He gets back in different ways, I guess.

5 Q Would it be fair to say that you felt pretty  
6 strongly about these inadequacies?

7 A Definitely.

8 Q Did you attempt to go over Farmer's head?

9 A I guess somewhat. I talked to, I guess, his boss.

10 Q Do you recall who that was?

11 A Probably Marvin -- what's his last name? Marvin

12 Page.

13 Q Page?

14 A Page.

15 Q Do you recall what response you got from him?

16 A Other than, you know, I'll look into it.

17 Q Anything happen?

18 A No. He, he just kept going on like they were  
19 going on.

20 Q I think I've already asked you this, but maybe I  
21 misunderstood your answer. As a result of your raising  
22 concerns, did things change?

23 A On the particular systems that we had problems on,  
24 they were fixed. But as to any thought into any future  
25 designs, or like that, I didn't see anything much -- I

1 didn't see much instances of them taking into account the  
2 erosion/corrosion.

3 But they didn't have any expertise in Raleigh on  
4 erosion/corrosion. And that, to me, was one of the  
5 problems, that each site had somebody in erosion/corrosion,  
6 and it was somebody that was -- say, here's the program, you  
7 run it. Had no training. At least, I never had any  
8 training. I requested training, to go to the EPRI meetings,  
9 but I was never approved to go. Money was a concern. So I  
10 tried, as best I could do, to learn it on my own.

11 And that's what scared me. If I'm doing the  
12 welding engineering job and the erosion/corrosion job, I was  
13 afraid I was going to miss something.

14 Q What did you do to try and learn the  
15 erosion/corrosion program on your own?

16 A Just tried to look at all reports that came  
17 through. There were a lot of reports that came through. A  
18 lot of stuff came out of the Surrey incident. I got a big  
19 old thick pile on, you know, info. The NRC. You know, the  
20 NRC would come out and say, well, what are yo doing about  
21 this. We had instances at, you know, at Trojan plant, where  
22 we got information on what happened there.

23 Q So basically you're talking about information  
24 notices or bulletins --

25 A Correct, correct.

1 Q -- from other licensees.

2 A Right, and also from the NRC.

3 Q Did Mr. Farmer ever acknowledge that -- Well, did  
4 he ever tell you, you were doing a good job?

5 A No. Because he didn't know what I was doing. He  
6 had no idea what the erosion/corrosion program was about.  
7 He had no idea what the welding engineering program was  
8 about.

9 Q What was his specialty, Mr. Latimer?

10 A He spent most of his time, as far as I know, on  
11 the service water system.

12 Q What's his technical specialty, metallurgy?

13 A Mechanical, I think.

14 Q Did you ever go to him and tell him what you just  
15 told me, that, you know, I don't have much experience with  
16 this, I'm afraid I'll miss something? Or voice your  
17 concerns about your ability to do that job?

18 A I told him many a times that, you know, you got me  
19 overloaded, that I can't do all this, that, you know, hey -  
20 - I got a letter from my counterpart down at another site, a  
21 guy named Greg Tucker, who went to an EPRI meeting, and they  
22 came back with, hey, the NRC's going to be looking into  
23 this, and the NRC's going to want to know why you don't have  
24 enough people on it, why there's no corporate involvement in  
25 it.

1 Q Specifically on the --

2 A Erosion/corrosion.

3 Q You just mentioned some kind of meeting, EPRI?

4 A EPRI meeting, right.

5 Q What is that?

6 A It's Electric Power and Research Institute. All  
7 the utilities get together and fund EPRI to investigate  
8 these problems.

9 Q Taking care of notes.

10 A Right. And EPRI's the one that came up with the  
11 check and the E program for trying to determine if you've  
12 got erosion/corrosion in your line, and they do that by a  
13 lot of factors: your flow rate, your material, your moist  
14 steam content, you know, various things like that.

15 Q Okay, you're wearing two hats at that time.

16 A That's correct.

17 Q What percentage of your working time was each  
18 taking up?

19 A Probably about half and half.

20 Q So 50 percent of your work time was directed to  
21 erosion/corrosion?

22 A Mm-hmm.

23 Q And 50 percent to welding engineering?

24 A That's right. Now, it would vary during the year,  
25 depending on, you know, what the time.



## 1 EVENING SESSION

2 [6:00 P.M.]

3 Q How many hours a week were you working?

4 A Roughly about forty hours a week, except during  
5 outages, and then I'd work, you know, sixty, or whatever  
6 they would allow me to work.

7 Q And you were a professional salaried position?

8 A Correct.

9 Q When did the real problems begin?

10 A Probably -- let's see. Probably early 1991.

11 Q Tell me in as much detail as you can what the  
12 circumstances were.13 A Well, they seemed to think that I could do  
14 everything. You know, that he would want this done and want  
15 that done. And I would try and tell him, I don't have time  
16 to do it. And, to me, what he wanted, just unrealistic.

17 Q Now, he, for the record?

18 A Warren Farmer. Some of the stuff I thought was  
19 totally unnecessary that he wanted. He tried to get me to  
20 do some stuff a different way, which I knew was wrong. I  
21 requested help.22 During the last outage we had, up until that point  
23 we had a contractor, a girl contractor. She was loading all  
24 the data in for the erosion/corrosion program, to do it by  
25 computer. And once she got done with that, the outage was

1 coming up, and I said, how about have her help me during the  
2 outage? Because I had all the welding activities to do, and  
3 I had all the erosion/corrosion to do, all at one time. And  
4 I was refused. They gave her another assignment. Kept her  
5 there at the plant, but gave her another assignment. Gave  
6 her another assignment.

7 Q Do you recall what her name was?

8 A Becky Roberts.

9 Q Was that the only assistance you had?

10 A It was the only assistance I had, other than, you  
11 know, to qualify welders. I had a guy that ran the test  
12 shop under me.

13 Q Specifically, now, I'm thinking in terms of the  
14 erosion/corrosion program.

15 A That's the only help I had. And the only thing  
16 she did was actually load it in the computer. She had --  
17 well, sometimes she had to go out and walk down the system  
18 to find out where it went to, or whatever, and get all the  
19 information to load in the computer, but that was basically  
20 her function. And my function was to double-check behind  
21 her and see that what she loaded in was correct. Some of it  
22 was, some of it wasn't.

23 Q Well, she must have been some help, though, if you  
24 requested her to stay on during the outage.

25 A Yes. I just needed another body to go out there

1 and make sure they got the insulation off, you know,  
2 schedule to look in this valve.

3 Q What did Mr. Farmer say about that?

4 A He just totally ignored it. Figured I could  
5 handle it on my own.

6 Q Did he say that money was a concern? I mean, I  
7 would think he would give you some explanation, if you're  
8 telling the man that you're overworked.

9 A No. His explanation is that I'm not working  
10 enough overtime now. And my viewpoint was that, you're not  
11 going to get me any help, I'm not going to put any free time  
12 in.

13 Q Now, when you say overtime, did he expect you to  
14 work more than forty hours a week?

15 A Certainly.

16 Q Did he expect you to do that without being paid?

17 A Certainly.

18 Q Did he ever tell you how many hours he expected  
19 you to put in?

20 A No. But on one of my appraisals he says that I  
21 don't work any overtime.

22 Q Was there a provision, other than during outages,  
23 for you to be paid for overtime?

24 A Certainly, if it was approved. And I requested  
25 it. Never, never -- always refused.

1 Q Did you request it through Mr. Farmer?

2 A Yes, I did.

3 Q Did he give you a reason why it was refused?

4 A Yes. They just don't do it. Like, before the  
5 outage -- before the outage starts there's a lot of my peak  
6 time that I have to do stuff getting ready for the outage.  
7 Normally, tech support, they don't approve overtime until  
8 the outage starts. And that's when they approved overtime.  
9 When the outage starts you could work, you know, whatever  
10 you wanted to. But if I've got to get ready for it, you  
11 know, get all the welder qualification and everything else  
12 done beforehand, I thought I should be able to work  
13 beforehand and get some of my stuff done. I was allowed to  
14 work when the outage started.

15 Q How much overtime would you have needed if it had  
16 been approved?

17 A To do what he wanted to do? At least forty hours  
18 a week overtime.

19 Q What you're saying, then, is that you would have  
20 had to work eighty-hour weeks.

21 A That's correct. And when I loaded up the site-  
22 work tracking system, that's what I had on there, is eighty  
23 hours a week. Our site-work tracking system is a computer  
24 program that they came up with to try -- it originally was  
25 to keep track of any projects you had, so they wouldn't fall

1 through the crack.

2 But what CP&L ended up doing was saying that if  
3 you don't have project work on here, you don't have any  
4 work. Even though most of my work wouldn't have been  
5 projects, it would have been something totally different.  
6 But I loaded everything up on the site-work tracking system.  
7 I put in, you know, two hours a week reviewing mods. I put  
8 down two hours a week reviewing mods. You know, that much  
9 time I would put in there.

10 Q Did you have any personality conflicts with Mr.  
11 Farmer other than the job?

12 A That's it. I never socialized with him, if that's  
13 what you're saying.

14 Q Were you pretty much working alone at that point?  
15 Were you in contact with any colleagues, or were you more  
16 off by yourself?

17 A I was on -- on that plant site I was off by  
18 myself, because I was the only one that did the welding  
19 engineering, I was the only one that did the  
20 erosion/corrosion. Oh, I had colleagues at the other  
21 plants, welding engineering. We're -- we went up there once  
22 a month to have a meeting, to sit down and go over procedure  
23 revisions, or whatever, for the corporate weather man.

24 Q How were the other plants handling the  
25 erosion/corrosion program?

1           A     Each plant had a separate person doing it. Now,  
2 they had other functions, too.

3           Q     Did you talk to those individuals?

4           A     Yes.

5           Q     Do you remember who any of them were?

6           A     Greg Tucker was the one at the Harris Plant, and  
7 Libba Haroldson was the one at the Brunswick plant.

8           Q     Lib?

9           A     Libba.

10          Q     Libba?

11          A     Right.

12          Q     I guess that would be L-i-b-b-a?

13          A     I believe so. And both of those had the same  
14 complaints that I did, that they didn't have enough time to  
15 do it.

16          Q     You just anticipated my next question, if they  
17 were running into the same manpower or hour problems, what  
18 did they do about it?

19          A     Greg tried to get some stuff done. He had some  
20 meetings with his people up there, and they were trying to  
21 get a corporate program going, where they could get some  
22 corporate help. And it would apply to all three plants, but  
23 it was very, very slow in coming. And, Libba, he basically  
24 couldn't do anything.

25          Q     To the extent you know, were they encountering the

1 same problems with engineering inadequacies?

2 A Maybe to some degree, but not quite as much.  
3 Because the Harris plant's a brand-new plant, or relatively  
4 brand new. A lot bigger plant, lot more systems, different  
5 kind of design. The Brunswick plant is a totally different  
6 design. It's a boiling water reactor, so it doesn't have a  
7 lot of the same stuff that Robinson does. They had failures  
8 up there, too. Just like all nuclear plants have had  
9 failures in erosion/corrosion.

10 Q Do you know if they ultimately got any help?

11 A I don't know what happened after I left. I don't  
12 know what they got. I know that -- the only thing I know is  
13 when -- I forgot what his name -- the NRC guy that came down  
14 there. Do you remember his name?

15 Q On an inspection?

16 A Yeah. Did the --

17 Q I think I know who you're talking about, but no, I  
18 don't recall his name.

19 A Well, when he came down there he basically asked  
20 me point blank what my problems were. Somebody asks me what  
21 my problems are, I'm going to tell him. Because I wasn't  
22 getting anywhere through CP&L.

23 Q Why did he come to you and ask you, Mr. Latimer?  
24 Just part of the routine inspection?

25 A Just part of a routine inspection.

1 Q You hadn't at that point voiced any concern to the  
2 NRC?

3 A No.

4 Q Did they have an employee concerns program?

5 A Did CP&L?

6 Q Yeah. Or at the Robinson plant. You're familiar  
7 with what an employee concerns program is?

8 A Yes.

9 Q Did they have such a program in place?

10 A Yes.

11 Q Had you taken your concern to them?

12 A Wasn't about to.

13 Q Why?

14 A Because they would've known who it was. Because  
15 if I would have put a concern in there about  
16 erosion/corrosion, they would have said, well, who knows  
17 about erosion/corrosion. They would have come right to me.  
18 And I already been to them.

19 Q On another matter?

20 A No, on about these same concerns. I went to my  
21 supervisor, or whatever, and nothing was done. It's called  
22 a quality check program.

23 Q Okay. That would be what I'm referring to as an  
24 employee concerns program. I think every plant has a  
25 different name for it, but they come down to the same thing.



1 A Right.

2 Q So you had gone directly to the quality check  
3 program?

4 A No, not on those concerns. No.

5 Q Others?

6 A No.

7 Q Basically you had just gone to Mr. Farmer then?

8 A That's right.

9 Q But it's your belief that had you gone to the  
10 quality check program, obviously it would have been  
11 identifiable with you?

12 A Oh, yes.

13 Q Why would that have bothered you?

14 A Why would it bother me? Right now, it shouldn't  
15 have. But it probably would have at that point. I didn't  
16 figure that anything was going to come of it, so I didn't  
17 want to waste my time going through that quality check  
18 program.

19 Now, when I left CP&L, I went through the quality  
20 check program, basically at the instance at the head of the  
21 quality check at the Robinson plant. You know, he came to  
22 my house and gave me the form and all this other stuff, and  
23 whatever, and I filled it out. I didn't expect anything to  
24 come of it. And what came of it was basically what I  
25 expected: nothing.

1 Q But you voiced some concern over the fact that if  
2 it had to do with erosion/corrosion, your concern or  
3 allegation, that they would immediately know it came from  
4 you.

5 A That's correct.

6 Q That would imply to me that you were afraid of  
7 some type of retaliation.

8 A Some degree. Because at that point I was getting  
9 bad reviews from my supervisor. And I didn't want to rock  
10 the boat, not at that point. It sometimes just builds up in  
11 you, and when -- when the NRC inspector came in, I just  
12 really unloaded on him.

13 Q How long did you talk to him?

14 A Probably a couple hours.

15 Q Was he generally in agreement with what you said?

16 A Yes.

17 Q Did he tell you it was pretty apparent to him that  
18 there were problems with the program?

19 A Definitely. And his last words to me, I'm going  
20 to see if I can get you some help. Well, I didn't quite  
21 expect that kind of help.

22 MR. DOCKERY: We'll go off the record.

23 (Off the record.)

24 MR. DOCKERY: Okay, we'll go back on the record,  
25 and Mr. Latimer, I'll remind you that you remain under oath.

1 THE WITNESS: All right.

2 BY MR. DOCKERY:

3 Q I'm interested in hearing a little more about your  
4 reluctance to go through the quality check program. Were  
5 you familiar with any other employees who had used that  
6 method of raising concerns?

7 A Far as I know, there were no CP&L employees that  
8 used the quality check program, that I'm familiar with.

9 Q Was there a reason for that?

10 A They just didn't have any faith in it.

11 Q Because nothing got done?

12 A That's correct. Somebody would raise a concern,  
13 but it would be answered without really checking into the  
14 problem. That was our opinion of it anyhow.

15 Q Had you discussed that with other employees?

16 A Oh, yes.

17 Q Were you concerned about retaliation for raising  
18 concerns?

19 A They would have known that I had raised them, yes.

20 Q You personally.

21 A Me personally.

22 Q What about the other individuals you had spoken  
23 to, had they mentioned any fear of that?

24 A I'm sure -- No, I don't know. I can't speak for  
25 them.

1 Q But by this time, if I understand correctly,  
2 you're concern was that -- or fear, if you will, was that  
3 you had already tried to go through your supervisor?

4 A That's correct.

5 Q Was there any certain point where your  
6 relationship with Mr. Farmer changed, or any incident that  
7 caused it to change?

8 A Not appreciably, no. It just gradually got worse.

9 Q How often on average would you discuss this  
10 erosion/corrosion program with Mr. Farmer?

11 A I guess the last six months or so that I was there  
12 we had a weekly meeting where we went over, you know,  
13 problems and concerns, and, you know, where we are on this,  
14 and whatever.

15 Q Was that a one-on-one meeting, or was that a group  
16 meeting?

17 A No, this was one on one. He met with everybody.

18 Q How long did those sessions usually last?

19 A Oh, half-an-hour or so.

20 Q Were they regularly scheduled?

21 A As much as possible he would try to schedule them  
22 once a week. Sometimes other things got in the way and he  
23 had to cancel, but he was trying to, you know, have them  
24 once a week.

25 Q How many other people did he supervise?

1 A Let's see. I would say about seven people.

2 Q What other disciplines were they?

3 A Well, what he had was what you would call the  
4 programs group. He had ISI, which -- and he had valve  
5 repair, or valve maintenance. He had, which went along with  
6 that, the M.O.V.'s, and various other little programs. None  
7 of them were really connected to one another.

8 Q Do you remember who he reported to?

9 A He reported to Marvin Page during most of the  
10 time, and then he reported to Tim Cleary. Marvin left and  
11 went to another portion of the plant, and Tim Cleary was  
12 promoted, and Tim was Warren's boss.

13 Q Was Tim Cleary his boss at the time you left?

14 A Right.

15 Q He had been his boss for, I don't know, a couple  
16 of months or so.

17 Q Did you have much interaction with Mr. Page?

18 A Somewhat. I had a couple of meetings with him,  
19 where I raised concerns about what Warren -- about what I  
20 thought Warren was trying to do. And also I had one meeting  
21 with Tim Cleary where I raised the same -- the same  
22 concerns.

23 Q The meeting with Mr. Page, do you remember what  
24 you told him?

25 A I basically told him that I was doing the welding

1 engineering job at Robinson plant on a part-time basis, that  
2 the welding engineer at Harris plant was doing it full time,  
3 plus he had a full-time assistant. The welding engineer at  
4 the Brunswick plant was doing it full time, and he was a  
5 two-unit plant, and he had, I believe, three people working  
6 for him. And I'm just saying that I can't do both the  
7 erosion/corrosion and welding engineering and do a decent  
8 job with the limited amount of time I've got.

9 Q What kind of response did you get from Mr. Page?

10 A Nothing really, other than these plants are  
11 different. And, yes, they are different, but not so much  
12 different than it would take, you know, two people at the  
13 Harris plant and just me part time at the Robinson plant.  
14 The Robinson plant's an older plant. It's got lots more  
15 modifications going on.

16 Q Did he tell you he'd look into it?

17 A Yes. That was always what I heard, that he would  
18 look into it.

19 Q Anything at all ever come from it?

20 A No. I raised concerns with him about, you know,  
21 the lack of corporate support on the erosion/corrosion  
22 program. And his standard answer was, I'll look into it,  
23 and they were working on it. But nothing was ever getting  
24 done on it. Not until the very last did they start doing  
25 something on it.

1 Q What about Mr. Cleary?

2 A Like I said, he was only there a couple of months.  
3 And I basically told him the same thing.

4 Q Do you remember what his title was?

5 A I guess it would be tech support engineering  
6 manager.

7 Q And that would have been Mr. Page's title before  
8 him, I assume?

9 A Right.

10 Q Did you submit any of these concerns to either of  
11 them in writing?

12 A No. I thought verbal would be good enough.

13 Q What about when you got to the point when it  
14 appeared nothing was going to happen with verbal concerns?

15 A I just kept raising, raising, you know, concerns  
16 verbally to them.

17 Q Mr. Farmer ever get upset that you went over his  
18 head?

19 A Not that I could tell. In fact, the meetings I  
20 went to, I told him I was going to do it. I didn't go  
21 around him. I went -- you know, told him I was going to  
22 have a meeting with them.

23 Q So he was aware of it?

24 A Yes.

25 Q He didn't seem upset by that?

1 A No.

2 Q The first performance appraisal that I've got here  
3 in this package for you, is the one for the period, March of  
4 '91 through October of '91.

5 A Okay.

6 Q I would assume this is the first appraisal that  
7 you had that was negative.

8 A That's correct. And that should say a  
9 satisfactory minus on that overall appraisal. Satisfactory  
10 minus.

11 Q Well, the copy I've got doesn't have the boxes  
12 checked.

13 A What's the date on it?

14 Q This is March through October of 1991.

15 A Let me look at that and see if I --

16 Q Okay.

17 A Okay, this is an interim appraisal they do every  
18 six months. The appraisal where they rate you would have  
19 been six months before that.

20 A I see.

21 Q Which would have been an anniversary date, which  
22 was March of -- my anniversary date, that would have been  
23 March of '91. And this would have been the one after that.  
24 So he would have given me an appraisal in March of '91,  
25 which was a good appraisal.



1 Q Do you have a copy of that appraisal here?

2 A I don't think so. I'll look for it.

3 Q All right.

4 A I know I've got most of this stuff back at home.  
5 The only thing I can remember about that appraisal was that,  
6 you know, I got a good appraisal, but he put some stuff in  
7 there about some welding that had been done on the service  
8 water pipe, which had been done several years before that,  
9 which really wasn't -- should not even have come into my  
10 appraisal, because it wasn't done in that time period. And  
11 he was saying the welding should have been done better. And  
12 I'll have to agree with him that the welding could have been  
13 done better, but with some sacrifices, because it was in a  
14 high radiation area.

15 Q I've just found another appraisal here, and it's  
16 for the period February of '91 to March of '92, and it does  
17 have a satisfactory -- it's marked satisfactory, and then  
18 with minus typed in underneath it.

19 A Mm-hmm.

20 Q Recognize that one?

21 A Yeah, mm-hmm. That's the worst appraisal I've  
22 ever gotten, with a satisfactory minus. Most of every  
23 appraisal before that was commendable. I don't think I ever  
24 got any outstanding, but all of them were commendable. I'd  
25 never gotten a satisfactory before that in all the different

1 supervisors I had worked for, and I had worked for a bunch  
2 of them.

3 Q Do you think you still have copies of all those  
4 appraisals, going back that far?

5 A No, I don't have copies of all of them. I'm sure  
6 they're in my personnel file there at CP&L.

7 Q Were you surprised by this rating?

8 A Definitely.

9 Q There is quite a bit written here, and, of course,  
10 that's all documented, whether it's correct or accurate, or  
11 not. Was there quite a bit of discussion between you and  
12 Mr. Farmer --

13 A Oh, yes.

14 Q -- regarding this appraisal?

15 A Quite a bit.

16 Q What did he tell you was the problem?

17 A He said basically what's in there. You know, I  
18 tried to point out to him that that's not the case. Some of  
19 it, I guess, he partially agreed with me. But when I asked  
20 him if it was going to be changed, he said no.

21 The way CP&L does the appraisals is one thing I  
22 don't agree with. They sit down there and write the  
23 appraisal up, go through the chain of command and get it all  
24 signed, and then present it to you. They don't write your  
25 appraisal and go over it with you and then they can change,

1 you know, whatever stuff may be wrong, and then send it up.  
2 It was sent up all before, and signed and everything like  
3 that, then it's given to you. So it's already set in stone  
4 by the time you get in there.

5 Q I assume you disagreed with this appraisal?

6 A Yes.

7 Q Do you think there was some hidden reason for this  
8 poor appraisal that is not contained in the writing?

9 A The only hidden reason I can think of was that  
10 using a system that you have to give somebody a, quote, bad  
11 appraisal for a certain number of times to get rid of them.  
12 You just can't have one bad appraisal and they fire you.  
13 So this was his way of, quote, documenting of my  
14 inadequacies, or whatever you want to call them, so that  
15 down the road they can get rid of you.

16 Look at overall. I'm rated a satisfactory minus.  
17 I wouldn't consider that reason to terminate somebody. He  
18 could have rated me unsatisfactory, but I don't guess he  
19 could find enough to rate me unsatisfactory, or make up  
20 enough.

21 Q Well, that's something I've noticed in looking at  
22 this. The way these appraisals are structured, it has the  
23 term "principal accountability," which I would assume is the  
24 factor being rated.

25 A Mm-hmm.

1 Q Okay, the first one -- and again this is referring  
2 to the appraisal dated March 7, 1992 -- the principal  
3 accountability is to support increased plant efficiency,  
4 plant operating requirements and regulatory requirements.  
5 The rating, under the rating column, the rating is  
6 "commend," which I assume is commendable.

7 A Commendable, yes.

8 Q The next principal accountability is provide  
9 technical and administrative support for plant programs,  
10 contribute to cost effective plant operations. Now, that's  
11 a satisfactory minus.

12 A Mm-hmm.

13 Q The third one is to ensure that assigned functions  
14 are conducted in compliance with technical specifications,  
15 QA, and regulatory requirements, plant procedures, and  
16 department policies. The rating there is unsatisfactory.

17 A Mm-hmm.

18 Q The next factor is, ensure work is performed in  
19 accordance with company safety rules. That's rated  
20 commendable.

21 A Mm-hmm.

22 Q Next one is, maintain effective communications.  
23 That's rated satisfactory.

24 A That's right.

25 Q I looked at these earlier, and if I assign, say, a

1 zero to three numerical factor to each of those, it comes  
2 out on the plus side of satisfactory.

3 A Well, I don't know how they do it. They just do  
4 it.

5 Q You don't have any insight into --

6 A No. Just when he's saying, you know, it's up to  
7 him to how he wants to weigh any one of them.

8 Q Well, this is some pretty extensive comments under  
9 each of these.

10 A It's pretty wordy. Doesn't have really any detail  
11 in it, other than what his opinions are. There's nothing  
12 specific here, to any extent. He even talks about my -- I  
13 guess my work habits. I think that's in this one. Late  
14 arrivals. This is on unsatisfactory --

15 Q I see it here.

16 A Late arrivals, early departures. A couple with  
17 extended break periods. Whatever.

18 Q How would you respond to that?

19 A I don't mind saying that I came in late sometimes  
20 and left early. I also put a lot of hours in during the  
21 outage that I didn't get paid for, and a lot of hours other  
22 times that I didn't get paid for.

23 Q Did you point that out to him?

24 A Yes. And the extended break periods? The way he  
25 came up with these hours is, when you come into the plant,

1 you know, you're logged in. You punch a card and it tells  
2 you when you came in. Came in at this, and then when you go  
3 out, you know, that way or this way -- if you go over to the  
4 break room, which is outside, it says you've went out.

5 But what it doesn't say is that the maintenance  
6 shop is right next to the break room. The weld test shop,  
7 you also have to go outside to get to, too. And also the  
8 fabrication shop is out there. When I went out, sometimes I  
9 went to the break room, and sometimes I took too long a  
10 break. Sometimes I was sitting there talking to people.  
11 Other times, I was in the maintenance shop. Other times I  
12 was in the weld test shop, or in the fab shop, tending to  
13 business. But that's not on here. There's no way of him  
14 checking that.

15 Q Did you point that out to him?

16 A Yeah. But since it's already written, he's not  
17 going to change it, and he told me that. He told me nothing  
18 would be changed. And that's when I requested that the next  
19 time he does an appraisal, is to write it up and come to me  
20 and maybe we'll get some of this stuff straight before it  
21 gets approved. But that wasn't done. The next time, he  
22 wrote it, sent it up the chain of command, it was approved,  
23 and then he showed it to me.

24 Q When you say sent up the chain of command and  
25 approved, the only places on here I see for signatures

1 appear to be for Mr. Farmer's signature, and then underneath  
2 it, the employee's signature. No. I'm sorry. There's  
3 another one. There's a supervisor/manager's signature.

4 A You've got the initials. That's initialed.

5 Q What you've just pointed out to me is on the line  
6 "appraisal and comments by."

7 A Mm-hmm.

8 Q Now, I assume this is Mr. Farmer's signature?

9 A Right.

10 Q And then you pointed out two sets of initials next  
11 to that.

12 A I'm not sure whose that is. Marvin Page may be  
13 one of them, and Ray Chambers, I'm assuming, would be the  
14 other one, because he was Marvin's boss during that time  
15 period.

16 Q Who would normally sign underneath where you were  
17 to sign, on the supervisor/manager's signature space?

18 A I would think Warren would sign there. I refused  
19 to sign it, because I didn't agree with it.

20 Q So the procedure would be for Mr. Farmer to sign  
21 it in two places?

22 A Right. As far as I know.

23 Q Okay.

24 A But I went over this with him, and I didn't agree  
25 with much that was in it, and I refused to sign it.

1 Q Was this the last performance appraisal that you  
2 received as an employee of CP&L?

3 A This was -- what date?

4 Q The date it appears it was actually signed by Mr.  
5 Farmer was February 21, 1992.

6 A No. There was -- this was the one where -- this  
7 was my annual review, where it determined whether I got a  
8 raise, or not. And then there was another one six months  
9 from that, which was my last one, which should be in there,  
10 too, I think.

11 Q Not in the package that I have. That's the last  
12 one -- Yeah, that's the last one I have.

13 A You should have the one, 98/7/92. I don't  
14 remember whether I sent that to you or not.

15 Q No.

16 A Can I take a look at that?

17 Q Yeah.

18 A It should be in there.

19 MR. DOCKERY: We'll go off the record, for a  
20 minute, please.

21 (Off the record.)

22 MR. DOCKERY: We're back on the record. And I'll  
23 remind you, Mr. Latimer, that you continue to be under oath.

24 BY MR. DOCKERY:

25 Q Okay, we have found a mid-year performance



1 appraisal form. The appraisal date on it is 9/7 of '92.  
2 And I think you just told me this was your final evaluation  
3 of any kind.

4 A Right.

5 Q And this is rated satisfactory, with a minus  
6 placed above it. What do you recall about your discussions  
7 regarding this appraisal with Mr. Farmer?

8 A It was about the same as the other ones that I'd  
9 had with him, that I didn't agree with it. I thought he  
10 should have discussed all this with me before, you know, he  
11 had it approved, and maybe we could have cleared some of  
12 this stuff up.

13 Q How did he respond?

14 A Said, that's the way it is.

15 Q How long after this were you discharged?

16 A About two months.

17 Q Was there any documentation between this September  
18 15th mid-year appraisal and your discharge?

19 A No. Other than some meetings we had, we had once  
20 a week, where he would, you know, say, these are the items  
21 you should be working on, you know, feedback-type things,  
22 like that, but no formal type thing.

23 Q Were those meant to be in the form of some type of  
24 counseling session?

25 A No, not that I saw.

1 Q Was the discussion strictly related to what jobs  
2 you should be working on?

3 A Right.

4 Q During this entire period of time was Mr. Farmer  
5 suggesting to you that you should change your way of  
6 working, or change your behavior in some way?

7 A Oh, yes. All during this time he wanted me to  
8 change my behavior and, you know, do everything the way he  
9 wanted it done.

10 Q What did he want done that you weren't doing?

11 A He wanted everything done yesterday. He wanted me  
12 to quit complaining about being overworked, about not having  
13 enough time to do this. Quit complaining about NED, about  
14 the work they were doing. Quit complaining about what's  
15 taking so long on getting a corporate program in.

16 Q Who were you complaining to other than him?

17 A Anybody that would listen.

18 Q Do you remember who? Personalities? Names?

19 A Everybody that I worked with. I mean, my co-  
20 workers.

21 Q What was that population?

22 A This was, you know, just a group of people that  
23 worked for Warren, but it was mostly just the people around  
24 me, around my office.

25 Q And I think you said he had about seven people

1 working for him?

2 A Right.

3 Q Did you have supporters among that group?

4 A Supporters of -- to me, you know, they would --  
5 they would tell me they supported me, and agree among  
6 themselves that, you know, that things weren't being run  
7 right. But for them to go out and complain to management or  
8 somebody else, no, they wouldn't do that.

9 Q Did you socialize with any of these people away  
10 from the plant?

11 A No.

12 Q Okay. Referring again to the mid-year performance  
13 appraisal dated September 15, '92, in the section that calls  
14 for your signature, it has, handwritten in there, "see  
15 response." I would assume that refers to a response that  
16 you wrote?

17 A I think it refers to a response I was going to  
18 write.

19 Q That's why I asked, because I don't have anything  
20 in this paperwork that I have.

21 A I don't believe I ever finished it. I put that on  
22 there, and was going to do it, and then I just gave up. This  
23 is not going to do any good. But I made a response to one,  
24 I think, the year before that, and it didn't do any good.

25 Q Did Mr. Farmer or anyone else at any point advise

1 you that you were in a job jeopardy situation?

2 A Oh, just by that letter that they sent me, which  
3 you should have a copy of it. There should be one in there  
4 signed by just about everybody.

5 Q I'll show you a copy of a letter here, it's to  
6 you, Mr. Latimer, from S. W. Farmer, and the subject is  
7 performance expectations.

8 A Right, that's it. That's the one where I would be  
9 terminated if I didn't change my ways, or I would either be  
10 demoted, transferred, or terminated.

11 Q And this is signed by -- it appears to be Mr.  
12 Farmer's signature, and then below it, "our concurrences" -  
13 -

14 A That would be Marvin Page, Ray Chambers, and  
15 Charlie Deets, who's head of the whole plant, and Greg  
16 Tucker, from personnel.

17 Q And written underneath, in handwriting, is, "I  
18 refuse to sign, because I disagree with the allegations."  
19 Is that your writing?

20 A That's correct.

21 Q Did you write a rebuttal of any type to this?

22 A No, I did not.

23 Q Okay. This document, under conclusions, contains  
24 the written statement: "Management will continue to assist  
25 you in this effort, providing feedback on a monthly basis."

1 Did they continue to assist you, and the effort they're  
2 talking about is: "...being given the opportunity to  
3 demonstrate an immediate, significant and ongoing manner, a  
4 level of performance that justifies your remaining in the  
5 position of senior engineer of technical support." Did you  
6 receive some assistance or counseling?

7 A I don't know whether you would call it counseling.  
8 It's still telling me that I'm not doing it right. I'm not  
9 doing enough for them. I should quit complaining. I could  
10 have probably satisfied them.

11 Q How?

12 A By giving up my self-respect.

13 Q What would you physically have had to do? What  
14 would you have had to manifest, do you think, to satisfy  
15 them?

16 A We would have had to started working a lot of  
17 overtime.

18 Q Unpaid?

19 A Unpaid. I would have had to not raise any  
20 concerns whatsoever. Stick my head in the sand. If  
21 something was wrong out there, don't say anything, because  
22 they didn't want to hear it. And that I was unwilling to  
23 do. I didn't need that job that much.

24 Q You weren't that interested in continuing to be  
25 employed by them?

1 A Not working under those conditions, no.

2 Q I assume you needed a job.

3 A No, I don't need a job. I've got enough money to  
4 retire on right now. In fact, I was planning on staying  
5 retired until a friend of mine up here called me to come and  
6 help him out. And that's what I'm doing now. And he's just  
7 paying me too good of money to turn down.

8 Q I must say I envy you.

9 A Well, it's not all my doing. I inherited some of  
10 it. Some of it was given to me.

11 Q Well, that's an interesting position to be in.  
12 Most of us don't have that luxury.

13 At that time did you have the financial  
14 wherewithal to just walk away from the job?

15 A Yeah, whenever I -- Well, a lot of it was tied up  
16 in CP&L stock that I -- you know, in the profit sharing  
17 program, or what do you -- the 401K plan? I put a lot of  
18 money in that. And the stock did quite well.

19 Q Tell me about the days immediately before you were  
20 discharged. Anything stand out?

21 A No, nothing whatsoever.

22 Q How about the day you were discharged?

23 A The day I was discharged I was -- I believe I was  
24 standing outside smoking a cigarette, because they just  
25 said--stopped letting people smoke inside. And some guy

1 came running up over there, and said, somebody in tech  
2 support's going to get fired. And everybody was wondering  
3 about who it was. I walked inside to do something, and got  
4 a phone call. And it was asking me to go over there. And I  
5 said, well, I guess I know who it is.

6 Q Who called you?

7 A Secretary.

8 Q Secretary for whom?

9 A Believe it was Ray Chambers' secretary. And went  
10 over there. And Warren Farmer was there, and Tim Cleary was  
11 there, and the guy from personnel. I forgot what his name  
12 was.

13 Q Was that the guy that you just mentioned signed  
14 this?

15 A Yeah. Greg Newsome. Greg Newsome was there. I  
16 think he said, we're here to terminate your employment, for  
17 poor performance. I think that's what they told me.

18 Q Did they give you any documentation at that time?

19 A No. Wouldn't give me any. Refused to. I said  
20 give me something that's saying, you know, why I've been  
21 terminated, and he said they can't do it. They gave me the  
22 standard stuff that said if you want to continue the  
23 insurance and, you know, stuff like that. But they never  
24 gave me anything, officially, in writing, why I was  
25 terminated. They told me verbally.

1 Q It's been my experience, perhaps not all, but many  
2 of these plants or licensees have a form that is given to an  
3 employee when they're terminated. Are you aware, did such a  
4 form exist in the CP&L system?

5 A I have no idea. But I was given nothing relating  
6 as to why I was terminated.

7 Q Who told you you were terminated?

8 A Tim Cleary.

9 Q And you said he explained the reasons. Gave you  
10 nothing in writing, but he explained the reasons. What were  
11 the stated reasons?

12 A Poor performance.

13 Q They back that up with any examples?

14 A Well, they based it on, you know, the appraisals  
15 in the past.

16 Q How did you respond?

17 A I just said that, you know, that's what you all  
18 want, you know, you do what you want, but that's not true.  
19 All of it was just orchestrated. It's like that letter  
20 right there. You would think, before somebody would sign  
21 it, any of those, Marvin Page, or any of those would have  
22 come to me without Warren Farmer being there, and say, well,  
23 what's the problem.

24 Q That never happened?

25 A No. Never did. It takes time to get rid of



1 somebody, and that's why I got three satisfactory minus  
2 appraisals, and then the last one was 9/7, and then it took  
3 them two months to do the paperwork.

4 Q But even the last one was a satisfactory minus.

5 A Satisfactory minus.

6 Q What's the real reason they discharged you, Mr.  
7 Latimer, as far as you're concerned?

8 A As far as I know for sure? I don't know for sure.

9 Q What do you think?

10 A Only thing I can assume is that because I got I  
11 got them in trouble with the NRC.

12 Q Was the NRC ever mentioned to you?

13 A Definitely not.

14 Q By any of them?

15 A Definitely not. They would have been fools to do  
16 that.

17 Q Did they ever give any indication that they knew  
18 you had spoken to the NRC?

19 A Never any indication. But it was -- I mean, they  
20 knew I had. I mean, it was in his report. If I remember  
21 correctly, when they had the exit meeting, the new chair --  
22 the new president had just come in, what I heard, got all  
23 over the management of our plant about the  
24 erosion/corrosion, and he wanted some stuff changed.

25 Q When did that happen?

1 A This was at the exit interview.

2 Q This is after you had been discharged?

3 A No, huh-uh. This was before. This was before.

4 Q So erosion/corrosion became a pretty significant  
5 topic?

6 A Yes. When you're sitting at the utility and the  
7 NRC comes in there and says you're doing it wrong, and says  
8 the reason you're doing it wrong is because you don't have  
9 the necessary people doing it, you don't have enough people  
10 doing it, you don't have corporate support. Same thing I  
11 had been telling them all along. I told them the NRC was  
12 going to come in there and do that.

13 Q You weren't at the exit meetings?

14 A No. I don't get invited to things like that.

15 Q How long was it between that exit meeting and the  
16 time you were fired?

17 A This was several months. They hadn't got all the  
18 bad reviews in yet.

19 Q Well, of course, at the exit meeting the report of  
20 the inspection wouldn't be available. It would take quite  
21 some time for that to be made public.

22 A It came out later, and you probably got a copy of  
23 that when it came out. I mean, it was an exit interview and  
24 then the SLAP report. I believe that's what it's called.

25 Q I think I have that report, but it's back in the

1 office. I didn't think I would need to bring it.

2 A Yeah, they were two different ones that came out.  
3 The one was the exit interview, and the other was, I guess,  
4 the formal report.

5 Q Now, I want to make sure I understand this. The  
6 topic of the erosion/corrosion program came up during the  
7 exit interview.

8 A That's correct.

9 Q How did you become aware of that?

10 A I got a copy of the exit interview. Not through  
11 my supervisor. I got it through other people.

12 Q Well, when you say you got a copy of it, was it  
13 notes or minutes or --

14 A No. It was a written, written -- he came out  
15 later as written. This is -- I got one here that's dated  
16 6/11. It's an inspection conducted April 27 to May 1st.

17 Q Of?

18 A 1992. There's also another one, too.

19 Q I want to try to get the timing down here. Now,  
20 there's an exit interview at which you came to know the  
21 erosion/corrosion program, and the inadequacies of that  
22 program were discussed prominently by the NRC.

23 A Correct.

24 Q Do you recall when that exit interview would have  
25 taken place? Just roughly.

1 A It would have been in March, I think.

2 Q Of 1992.

3 A Right. This, this -- excuse me. It would have  
4 been the 1st of May 1992. Nick Economos was the inspector.

5 Q And then was Nick Economos the inspector that you  
6 had the discussion with?

7 A Correct.

8 Q The exit interview took place in May.

9 A Mm-hmm.

10 Q The report, the inspection report would have been  
11 issued sometime after that.

12 A Correct.

13 Q And received by the company.

14 A Mm-hmm.

15 Q You received your final negative mid-year  
16 performance evaluation in September '92.

17 A That's correct.

18 Q And as near as you can recall, you were terminated  
19 approximately two months after that?

20 A Right. It was November. November --

21 Q So, beginning in May, up to the time that you were  
22 discharged by CP&L, it was no secret that the  
23 erosion/corrosion program was of some interest to the NRC.

24 A That's correct.

25 Q And the NRC did not take a favorable view of what

1 was being done with that program. Is that a fair  
2 assessment?

3 A That certainly is.

4 Q That being the case, during that period of time,  
5 did any of your managers, supervision, come to you and  
6 attempt to discuss the program and how to improve it with  
7 you?

8 A When you say came to me to ask my opinion or how  
9 to improve it, no. I would say that I went to them. We,  
10 the three sites -- the erosion/corrosion people at three  
11 sites were trying to come up with an outside vendor to come  
12 in and redo the erosion/corrosion program for all three  
13 sites, or at least give them some additional help.

14 And we had a meeting up at the Brunswick plant,  
15 where the company gave us a demonstration on what they could  
16 do on providing manpower, them actually doing a walk-down of  
17 all your plant piping, determine where it goes, determine  
18 what size it is, going through all the old drawings, going  
19 through the flow diagrams, getting your history -- chemical  
20 history, and such things as that, and then floating  
21 everything into the EPRI program, and coming up with a good  
22 program. Which I thought that was what we needed, because  
23 the limited manpower that we had to do with that before just  
24 -- and the problems that we ran into, I didn't think was  
25 enough.

1           So I got things set up for them to do it, and got  
2 quotes in for them to do it, and gave it to them, and that's  
3 the way it went. And they finally came in there, I believe,  
4 in probably January or December, or early January of 1993,  
5 and actually re-did the whole erosion/corrosion program.  
6 Something I had been trying to get them to do.

7           Q     When could your supervisor, Mr. Farmer, or anybody  
8 in management have first pinpointed the fact that you had  
9 spoken -- you must have spoken to the NRC about that  
10 program?

11          A     When they first pinpointed that.

12          Q     Yeah. Help me out here. Give me the time frames  
13 where the light bulb would have gone on and they would have  
14 said, John must have talked to the NRC about this program.

15          A     They day I talked to him.

16          Q     How would he have known that date?

17          A     He had to overheard me. I mean, I've got a little  
18 cubicle here, and Wick Economos is sitting in my cubicle.  
19 mean, it's just like us talking here, except there's, you  
20 know, six-foot-high partition there, or five-foot-high  
21 partition.

22          Q     So it would have been fairly apparent.

23          A     Oh, yes. I mean, it wasn't like me going over to  
24 the NRC and sitting down and talking.

25          Q     Who could have heard?

1 A Anybody.

2 Q Do you know for a fact that anybody did?

3 A Sure. People sitting right next to me did.

4 Q Do you recall who that was?

5 A Dick -- I can't remember his name. Dick Webber,  
6 he would have been there. Stan Pruitt probably would have  
7 been there. And there's a couple other people that I can't  
8 recall their names there, but they would have been right  
9 next to my cubicle. And then whoever was behind my cubicle,  
10 and I can't remember his name either. I mean, it was  
11 anybody there would have heard us talking. I mean, it  
12 wasn't --

13 Q Do you know one way or the other if Mr. Farmer  
14 happened by at that point, or heard you talking?

15 A I don't have any idea.

16 Q Do you know if at that point anyone of these  
17 colleagues of yours, who were nearby, went to Mr. Farmer and  
18 said, well, John's talking to the NRC inspector?

19 A No.

20 Q So what you're telling me then, if I understand  
21 correctly, the physical layout that day, when you spoke to  
22 Inspector Economos, was such that these other people could  
23 have overheard you.

24 A Sure. And it wasn't but a couple days after that  
25 they had their exit interview, and then it was discussed.

1 Q Do you know if you were mentioned by name or by  
2 position?

3 A By position, I'm sure.

4 Q Well, are you sure? Or is that conjecture on your  
5 part?

6 A Well, that's conjecture, because I wasn't there.

7 Q But you said you received some minutes or a memo  
8 regarding the exit interview.

9 A Well, I've got a copy of the exit interview where  
10 it says, you know, the program is being run by one person on  
11 a part-time basis. Who else could that be?

12 Q Yeah, but that's a statement of fact.

13 A That's correct.

14 Q I mean, as an inspector I would know that whether  
15 I had ever talked to you. Farmer could tell me, you know,  
16 we have one man assigned full time, it's John Latimer. I  
17 might never speak to you and I would know that.

18 A Correct. Maybe I'm missing what you're trying to  
19 get at.

20 Q What I'm trying to get at is who knew what when.

21 A Well, the whole site knew that I had talked with  
22 the NRC at the exit interview. Whoever was in the exit  
23 interview knew I had talked with the NRC.

24 Q I guess I'm trying to understand how they would be  
25 able to pinpoint that.



1           A     Because he told them that he interviewed me and  
2     this is what I told him.

3           Q     Okay. Now, that's something different than what  
4     you told me before. Do you know that to be a fact, that he  
5     made the statement, I talked to John Latimer, or I talked to  
6     the engineer responsible for the program?

7           A     Well, I think on the exit interview there's  
8     probably a list of names that he talked to. You know, they  
9     normally put that on there.

10          Q     That's one document I haven't seen.

11          A     During the exit interview -- Like I say, I don't  
12     know that they knew at exit interview. But I would think he  
13     would have said that you've only got an engineer on a part-  
14     time basis doing this. And also in there it says that I  
15     had used the EPRI program and erosion/corrosion program, and  
16     the results I'm getting are totally contradictive to what  
17     was actually out in the plant. The erosion/corrosion  
18     program would say it's failed and I've got good pipe out  
19     there, or visa versa. And he was saying that I had lost all  
20     confidence in this -- or the engineer had lost all  
21     confidence in this.

22          Q     So the bottom line, then, Mr. Latimer, is you were  
23     so easily identified with that program, that when negative  
24     statements were made about the program, it's your assumption  
25     they had to know it came from you.

1 A Right, mm-hmm.

2 Q Is that what ultimately got you fired?

3 A I can only say what I think.

4 Q That's what I'm asking you.

5 A Yes. That's -- that was the straw that broke the  
6 camel's back.

7 Q Did anybody, either a co-worker, a supervisor, a  
8 manager, or even an underling, ever say to you they either  
9 knew or thought that was why you were discharged?

10 A No. I've had very little contact with anybody  
11 from the plant.

12 MR. DOCKERY: We'll go off the record.

13 (Off the record.)

14 MR. DOCKERY: Okay. We're back on the record.  
15 And I'll remind you once again, Mr. Latimer, that you are  
16 under oath. Do you acknowledge that?

17 THE WITNESS: Acknowledge that.

18 BY MR. DOCKERY:

19 Q I believe, after your termination, you either  
20 contacted or were contacted by the quality check program  
21 that CP&L has in place.

22 A That's correct.

23 Q Did you make that contact or did they come to you?

24 A They came to me. A guy named -- by the name of  
25 Burlin Lowery.

1 Q Do you know how that's spelled, Lowery?

2 A Lowery, L-o-w-e-r-y. He's retired from CP&L right  
3 now.

4 Q Okay.

5 A He is the one that wanted me to write a quality  
6 check, because he was head of the quality check at that  
7 Robinson plant.

8 Q How did he contact you?

9 A By phone, I believe.

10 Q At home?

11 A Yeah. And he ask if I wanted to write one, and I  
12 really told him I didn't think it would do any good. And  
13 he, I guess, kind of insisted -- but he kind of didn't  
14 insist either. Anyway, I sat down there and I wrote it,  
15 wrote it up, and he came over there and got it, and went  
16 over it with me, and, you know, took it back and put it  
17 through their program.

18 Q What was he looking for?

19 A He was just looking for any concerns that I had.  
20 That was his job. Anybody that left CP&L, whether  
21 contractors, CP&L person, talked to him. You know, he  
22 wanted to know any concerns they had, and he would send them  
23 to the right channels.

24 Q Were you told on the day you were terminated that  
25 you had that option, or that you would be contacted?

1 A I don't remember.

2 Q So you wrote up something.

3 A That's correct.

4 Q I'll show you something that's titled the "Quality  
5 Check Program - Independent Investigation." Is that a  
6 response to the investigation, or is that what you wrote up?

7 A That is a response to the investigation.

8 Q Because I don't recall seeing anything that you  
9 had written to the quality check program other than that.

10 A Okay, here it is. Here it is right here. That's  
11 CP&L's answer to the quality check that I wrote up.

12 Q Okay, this is the CP&L response.

13 A That's the CP&L response, where they wrote --  
14 where they wrote what, you know, I had written. And that's  
15 something different there. What it concerns is exactly what  
16 I wrote, except for listing the people down at the bottom  
17 who they talked to.

18 Q You've been saying you wrote up. Was it  
19 handwritten, or was it --

20 A No, it was typed.

21 Q It was typed. Can you check your paperwork there  
22 and see if you have a copy of that?

23 A This is it right here.

24 Q Let me take a look and see if I've seen it.

25 A How about -- I have an extra copy. That was the

1 quality check I wrote up.

2 Q Mr. Latimer, I have not seen this before. If you  
3 have a copy of it, I --

4 A Yeah, you can have that. I've got an extra copy.  
5 That's the quality check that I wrote up and gave to Burlin  
6 Lowery. And CP&L just took -- just lists that again, then  
7 gives their response. Also, at the bottom of that one, I  
8 hand wrote in there, you know, who they could contact.

9 Q Would that be the same names that appear on this  
10 apparent letter dated November 23rd, 1992?

11 A They would have been some of the same. I don't  
12 remember they were identical. But that quality check should  
13 be in their system somewhere, my letter with the handwritten  
14 notes on the bottom.

15 Q You list, on the document that I'm looking at,  
16 eight people, and it appears that you're indicating to the  
17 quality check program that these people should be  
18 interviewed because they might support some of your  
19 contentions?

20 A That's correct.

21 Q Mr. Latimer, when you were discharged by CP&L, you  
22 had the option to go to the Department of Labor. Were you  
23 aware of that at the time?

24 A No, I wasn't.

25 Q Are you aware of it now?

1           A     Yes.  I was aware of it, I guess, as of -- well,  
2     the second letter I wrote to you all, and you all called me  
3     and told me that, you know, I had the right to do it, but it  
4     was a six-month time limit, and that time limit was up at  
5     the time.

6           Q     And up until that point in time you did not know  
7     you had that option?

8           A     No, I didn't.

9           Q     Did you consider any other action?  Civil Action?

10          A     No.  By that time I was just kind of wanting to  
11     forget about it and put it behind me, and didn't really  
12     consider anything.  And then, you know, after a while you  
13     come to your -- I came to realize that I wasn't treated  
14     fair, or I thought I wasn't treated fair.

15          Q     This was a realization that came to you over time?

16          A     Yes.

17          Q     What prompted that?

18          A     Just -- I guess just sitting there thinking, you  
19     know, why did they fire me?  Was it poor performance, or was  
20     it something I did?  Do you deserve to get fired because  
21     you get a satisfactory minus rating?  Do you deserve to get  
22     fired because your supervisor apparently can't get along  
23     with you or doesn't think what you're doing is they way  
24     you're supposed to be doing, or you're doing enough?  I just  
25     came to realize -- the realization that what I was doing was

1 what I was supposed to do. And I could only do what I could  
2 do, you know, during the time period.

3 Q There is some other documentation that I've seen  
4 that indicates there was at least a possibility explored of  
5 you transferring to another group, or at least to another  
6 supervisor.

7 A Correct.

8 Q Fill me in on the details of that.

9 A Well, this was going back to the mod  
10 implementation group, who used to be the old construction  
11 group. It was the people I worked for before I went to the  
12 maintenance department. I worked for them, and they wanted  
13 to get me back.

14 Q Do you recall when that came up, in terms of some  
15 time before you were discharged?

16 A Right. Several months before I was discharged I  
17 approached them about, you know, coming to work over there.

18 Q Who did you approach?

19 A This was Jack Epperly, who was head of mod  
20 implementation.

21 Q Was this just something you took on yourself, to  
22 decide to go talk to him and see about it?

23 A Yes.

24 Q Did Mr. Farmer know, or come to know that you had  
25 gone --

1           A     Not at that particular time. He came to know when  
2 I put in a request for transfer.

3           Q     And how was that request for transfer treated?

4           A     He signed it and sent it on to, I guess, to Marvin  
5 Page, and then it went to Ray Chambers. And Ray Chambers  
6 denied it, said he wasn't going to -- forgot what the  
7 corrects words -- it's probably in there -- that he wasn't  
8 going to transfer anybody with a poor performance.

9           Q     Did he discuss that with you?

10          A     No.

11          Q     Did you attempt to discuss it with him?

12          A     Not at that point. Figured that, you know, they  
13 didn't want me to go, I wouldn't go. But mod implementation  
14 would have taken me. Now, there -- there wasn't a job slot  
15 over there, but it wouldn't have been difficult to transfer  
16 my position out of tech support into the construction unit.

17          Q     Now, which position would that have been? Would  
18 that have been --

19          A     Welding engineer.

20          Q     Okay. But not necessarily erosion/corrosion?

21          A     No. At that point in time they had already gotten  
22 a man to take over the erosion/corrosion program full time.  
23 One man.

24          Q     Before you were terminated?

25          A     Before I was terminated he was taking it over. I



1 still had some involvement in it. But he was going to take  
2 it all over.

3 Q Who was that?

4 A I can't recall his name.

5 Q He was on site?

6 A He was on site. He was a contractor, and then --  
7 he may have still been a contractor, but he was given the  
8 responsibility for the erosion/corrosion program. He was  
9 going to be responsible for getting the subcontractor in,  
10 aligning the subcontractor's work out, and redoing the  
11 erosion/corrosion program. And I was told by Tim Cleary,  
12 who was the manager of tech support, that I was only going  
13 to be involved in welding engineering.

14 Q Do you recall when that occurred?

15 A I would say a month or so before I was terminated.

16 Q That's something -- I didn't know this. This is  
17 all new to me.

18 A It should be in there somewhere.

19 Q Well, I guess I didn't put it together that you  
20 had overlapped. I knew that a contractor was brought in.

21 A Right. Okay.

22 Q But you had already been advised that the  
23 erosion/corrosion program would be turned over to him, you  
24 would be taken out of it.

25 A That's right. I would be doing just welding

1 engineering work. That he was going to take over the whole  
2 erosion/corrosion program, and I was going to be there in  
3 case he, you know, he needed some help, but it was going to  
4 be all of his. He was going to run the subcontractor when  
5 he came in. And I'm talking about not just one  
6 subcontractor. There had been six or seven people coming  
7 in. Because there was going to be a total walk-down of the  
8 whole plant, go through all the records and, you know, come  
9 up with a little bit better than what we had been able to do  
10 over the past year.

11 Q Is it accurate to say that they were going to have  
12 one full-time contractor and a number of subcontractors  
13 doing what you had been doing up until that time?

14 A That's correct. At least during the -- re-doing  
15 the program, they would have one full-time CP&L man and a  
16 lot of contractors. And then, after the contractors left,  
17 they would have had one full-time CP&L person, and also the  
18 corporate program to support him.

19 Q The corporate program would have been out of  
20 Raleigh?

21 A Out of Raleigh. And they had made a little bit of  
22 attempt to do that. They had appointed one person to do  
23 that, and we had had one or two meetings with him, and  
24 trying to line out what he needed to do and what we needed  
25 to do and how to get a corporate approach to it.

1 Q How many months was that going on before you were  
2 terminated in November?

3 A This was four or five months. Shortly, shortly  
4 after they -- CP&L finally started getting serious about it,  
5 after the NRC had interviewed me and had said that you're  
6 not doing such a good job on the erosion/corrosion. That's  
7 when things started happening.

8 Q Then that plan to increase the efforts in the  
9 erosion/corrosion control program even predated the  
10 September negative mid-year evaluation you got.

11 A Oh, yes. Definitely.

12 Q So you were going to be out from underneath that  
13 program.

14 A That's right. I was just going to be doing  
15 welding work. And that was in the quality check program I  
16 think I brought that up, that I was told by Tim Cleary that  
17 I would be the welding engineer full time. And then in  
18 CP&L's response to the quality check program, they did not  
19 say any -- did not deny that fact.

20 Q When you were having these conversations with Mr.  
21 Cleary, did he seem -- was there any animosity that he  
22 displayed toward you?

23 A No. He seemed genuinely concerned.

24 Q About the erosion/corrosion problems?

25 A The erosion/corrosion problems, and the apparent

1 number of people it took to do the welding engineering job  
2 at the other two sites.

3 Q Did you get the impression, once you returned to  
4 just welding engineering, that there would have been plenty  
5 of work for you full time?

6 A Certainly.

7 Q Did he tell you that?

8 A No, he didn't. But if I would have gone to work  
9 for the mod implementation group, that's what I'd been  
10 doing.

11 Q In your opinion the work was there?

12 A Certainly. Like I say, if it takes two at another  
13 plant and four at another plant, then certainly four and one  
14 at, you know, Robinson. You know, it's just like any other  
15 jobs, there's ups and downs. I mean, during an outage  
16 there's a lot of work, and right before the outage it's a  
17 lot of work, but right after the outage, the work load goes  
18 down.

19 Q Were you surprised when you were discharged?

20 A Yes and no. I was surprised when -- I guess when  
21 they told me, or I was called over there. But after I was  
22 told I was, you know, fired, I wasn't surprised.

23 Q You were just -- what you're saying, you were  
24 surprised at the instant it happened, when it happened, not  
25 that it was coming or that --

1           A     Well, I didn't -- I didn't even really think it  
2 was coming. You know, I thought that everything was pretty  
3 clear, that the erosion/corrosion program had been taken  
4 over by somebody else. I was -- I could go be a welding  
5 engineer full time.

6           Q     That's what I find significant. I didn't realize  
7 this before. It sounds like this whole erosion/corrosion -  
8 - your involvement is about to end.

9           A     Correct. And that's what that letter states, that  
10 Jack Epperly wrote. Or, in fact, I actually wrote it for  
11 him, and he signed it. But he wanted me to put some input  
12 into that letter to try and get me over there. And that's  
13 what I stated in there. He discussed it with Warren Farmer.

14

15           MR. DOCKERY: Go off the record again for a  
16 minute.

17           (Off the record.)

18           MR. DOCKERY: Okay. Once again, Mr. Latimer,  
19 we're back on the record.

20 BY MR. DOCKERY:

21           Q     And what I'd like to do now is give you the  
22 opportunity to bring up anything that I may not have touched  
23 on that you feel is pertinent to what we've been talking  
24 about.

25           A     Well, that last meeting I had with Tim Cleary.

1     Okay, Tim Cleary was Warren Farmer's supervisor. And I had  
2     a meeting a month, maybe two months before I was terminated,  
3     and talked with Tim, and basically told him I thought Warren  
4     was being unfair in expecting me to do all the work he  
5     wanted to, for the simple reason that there were two welding  
6     engineers at -- there were two people, one welding engineer  
7     and a full-time assistant at the Harris plant. And there  
8     was four people at the Brunswick plant doing the same job I  
9     was doing part-time.

10           And I also brought up the fact that the NRC had  
11     come down on CP&L in the exit interview, and then the  
12     subsequent SLAP report, written that CP&L did not have  
13     enough people on the erosion/corrosion program. And at that  
14     time he said that the erosion/corrosion program was to be  
15     taken over by a full-time person, and I was just going to be  
16     involved as a welding engineer. You know, I was going to do  
17     that full time.

18           And this I also put into the quality check  
19     program, stated that, in it, CP&L's response to that did not  
20     do that. So I can only assume that they agreed with it.  
21     There was a full-time man there, taking over the  
22     erosion/corrosion program. His duties were to -- when the  
23     subcontractors came in to re-do the erosion/corrosion  
24     program, he was to take charge of that contract, actually  
25     have it re-done, the way it should have been done the first

1 time, with more people, more personnel.

2 And at that point I contacted Jack Epperly and,  
3 you now, asked if I could come to work over there, if he  
4 needed anybody over there. And he said, yes, that he would  
5 be very glad to have me over there. And I went through the  
6 formal transfer request, and it went up through Ray  
7 Chambers, and Ray Chambers denied it, and I believe he based  
8 it on that he wasn't going to transfer anybody with poor  
9 performance.

10 Also at that time there was other openings in the  
11 corporate office in Raleigh, which, you know, for welding  
12 engineers, that's what they -- you know, full-time welding  
13 engineers, which I was very well qualified to do, and I knew  
14 the -- you know, knew the guy I'd be talking -- you know,  
15 working for up there, if I, you know, chose to pursue it.  
16 But after I got that from Ray Chambers I decided that it  
17 wouldn't be any good to pursue a transfer to somewhere else,  
18 you know, -- he's not going to do it.

19 Q There were other opportunities within CP&L?

20 A That's correct.

21 Q And you would have accepted those assignments if  
22 they had been made available?

23 A I'm not saying I would have accepted them. I  
24 certainly would have pursued them. It would depend on, you  
25 know, arrangements that could have been made. You know,

1 what the salary would have been. Would I have to pay for  
2 moving, since I'm initialing the request for transfer?  
3 Because CP&L's got a policy, if you initiate for transfer,  
4 you have to move yourself, other than, you know, the other  
5 way around. But I certainly would have considered it.

6 Q Was money a big concern at that time?

7 A No, not for me.

8 Q Not for you. I'm not referring to you. For CP&L  
9 or to the -- was it of concern to the management at the  
10 Robinson plant?

11 A I certainly thought it was a concern of theirs,  
12 because they would not get the corporate program going,  
13 which would involve money, person, and time, whatever. They  
14 wouldn't get it rolling. They wouldn't give me any  
15 additional help.

16 Q Did anybody ever tell you, no, John, we can't do  
17 this because it costs too much?

18 A No. They always told me they were working on it.  
19 That we going to get there sooner or later. And I could see  
20 that that sooner was going to be a lot later than I felt  
21 comfortable with.

22 Q While we were off the record you also mentioned a  
23 discussion you had with Mr. Cleary on another technical  
24 issue.

25 A Correct.



1 Q Will you describe that again for me, please.

2 A This involved the service water placket at the  
3 intake. When the NRC came in on a normal inspection, I  
4 guess, during the 1992 spring outage, they went down to the  
5 intake and found that the down comers, coming off the pumps,  
6 going into the big service water headers, were corroded from  
7 the outside, and it was further evaluated that it needed to  
8 be replaced, and they were replaced at that same outage.

9 They also looked at the header pipe and found some  
10 areas that had some OD corrosion on that too. And they also  
11 made comments of that in their exit interview and, I think,  
12 their final report.

13 And when I talked to Mr. Cleary about that, I told  
14 him that the person at that time that was responsible for  
15 the service water pipe was Warren Farmer. And Warren Farmer  
16 apparently didn't do what he should have done, because the  
17 header pipe had no preventative maintenance done on it, no  
18 follow-up done on it. I believe it probably got a coat of  
19 paint and -- but it was never rechecked after that initial  
20 time. And that being kind of protected should have made him  
21 realize that the header pipe, which was exposed to the rain,  
22 atmosphere, or whatever, could have been in worse condition.  
23 That was never checked.

24 Q Would that have been up to Mr. Cleary to check  
25 that, or are you saying it was up to Mr. Farmer?

1           A     Well, it should have been up to Mr. Farmer to  
2 realize that if I've got corrosion on this one, I should  
3 have corrosion on the one that's in the worse condition.  
4 And what I was just telling him, it was just poor  
5 judgment on his part that it was checked.

6           Q     How did Mr. Cleary respond?

7           A     I think he was a little bit surprised, because Tim  
8 had been there one time before and had left and then had  
9 come back, and he probably wasn't there at that time that  
10 this had occurred.

11          Q     Was he upset that you were even bringing it up?

12          A     No, not really.

13          Q     And this took place, this conversation took place,  
14 I believe you said about a month before you were discharged?

15          A     It's hard to say. A month or two months. It may  
16 have been a month. It took place at my request. I went to  
17 see him. It was the first meeting I had with him. He had  
18 never requested to talk to me. In fact, nobody at CP&L's  
19 management had ever requested to talk to me about my  
20 apparent poor performance, of what I could do to improve it.  
21 I always had to initiate a conversation with them.

22          Q     Throughout all this, was anybody apparently mad at  
23 you?

24          A     Not outwardly, no. The only way I could see  
25 somebody was mad was through the appraisals I was getting.

1 Q But were the face-to-face contacts that you had  
2 cordial, or were they heated?

3 A No, they were pretty cordial.

4 Q Got anything else you'd like to bring up?

5 A Well, I guess other than just restating that I  
6 don't believe I was fired for poor performance. I don't  
7 think you could say I had poor performance, not considering  
8 the workload that I had, not considering what the NRC said  
9 about the number of people that are required to do a  
10 program. The number of people that other plants had as a  
11 welding engineers. The number of people they had as welding  
12 engineers.

13 The quality check that I filed with CP&L, I  
14 expected a lot more to come out of it than what did. I was  
15 told by, I believe, Herb Casanova, who's head of the  
16 corporate quality check program, that I'd probably be  
17 contacted by somebody from outside of the -- outside of  
18 CP&L, because they wanted somebody independent to do the  
19 investigation.

20 Q Did that ever happen?

21 A No, that never happened. I was never contacted.  
22 The person -- the people that did the investigation was the  
23 legal department. The legal department was, according to  
24 Duane Walters, who was in personnel, were the people who  
25 approved my termination originally. It may not have been

1 those same specific people, but it was the same department.

2 Q And who told you that?

3 A Duane Walters. And that should be in that package  
4 I gave you.

5 Q Was that the handwritten note on the copy of the  
6 personnel policy?

7 A Right.

8 Q Okay, I have that.

9 A Right.

10 Q Did you ever talk to anybody from the CP&L legal  
11 department?

12 A No. Nobody from CP&L legal department ever  
13 contacted me. I made my quality check. CP&L, apparently  
14 they went down there -- at least I was told they went down  
15 there -- did their investigation, which appears to me they  
16 just talked to Warren Farmer and said give me an answer, and  
17 he gave them an answer. And they never talked to a single  
18 other role.

19 Q Do you ever recall hearing the name of anybody  
20 from the CP&L legal department who was involved?

21 A No, I was never told who it was. Like I say, I  
22 requested them to talk to other people down there, gave them  
23 specific names, wrote a letter, told them to talk with these  
24 people. I thought that CP&L would, you know, contact me,  
25 because Warren made some allegations in there which I never

1 had a chance to respond to.

2 He said that the \$5,000 program was a total waste  
3 because I didn't do anything on it until the end, and then I  
4 verified all the inputs that the subcontractor put in, the  
5 Roberts girl, were all wrong, and that's totally false. She  
6 would bring me the results and I would look at them, and a  
7 lot of times bump them off what actually was in the plant,  
8 and then I would come to her and say something's not right,  
9 let's double-check this. And a lot of times she had made an  
10 error. She had -- instead of putting 16 inch pipe, it may  
11 have been a 4 inch pipe, where you had, you know, 20 times  
12 the flow rate, and if you put that in there, the computer's  
13 going to show it, that, yeah, you're going to have  
14 erosion/corrosion, because the flow rate's, you know, a lot  
15 higher than was expected.

16 And what he said, that I never verified any of  
17 them until the end, is just a total lie.

18 Q Now, the person you're referring to was the  
19 contract employee, the female who was assisting you.

20 A Right. Yeah.

21 Q Did you get along with her all right?

22 A Sure. And I raised concerns to her. I said, I  
23 don't think this EPRI program works. Or I don't know it  
24 works, because the information that you're putting in --  
25 and, you know, I verified -- a lot of it, you know, I

1 verified. I actually went down there and said these are the  
2 flow rates and chemistry as we know it. You know, as we can  
3 determine. You put those in there, it doesn't give us the  
4 same data that we're actually seeing out in the field. So I  
5 know something's wrong.

6 Q Was she in agreement with you?

7 A Yes.

8 Q Were you considered her supervisor?

9 A Yes.

10 Q I guess somewhat. She also worked for Warren,  
11 too, but I was supposed to be her supervisor.

12 But, like I say, the inputs we were putting in  
13 were not reflected out in the field, and that's when I came  
14 to her. I couldn't rely on them. But what I was doing,  
15 erosion/corrosion, was a lot better than relying on those.  
16 Because I considered everything suspect. And if I had a  
17 system which changed in any way, pressure, temperature,  
18 flow, diameter, pipe, or whatever, I would do a  
19 representative sample of that system and see if I had  
20 erosion/corrosion. At that point I didn't need the computer  
21 program to tell me that it was good or it was bad, because I  
22 went out there and did it. I UT'd it. I knew whether it  
23 was good or bad.

24 I don't know. I got off the subject there. What  
25 was the subject.

1 Q Well, no, this is your opportunity to bring up  
2 anything --

3 A Well, like I said, I think that if they would have  
4 done a good quality check investigation, we wouldn't be at  
5 this point. I wouldn't be coming to you. I just can't  
6 believe I was terminated for poor performance. I mean,  
7 terminate me for something else, but not that.

8 Q Is there anything else you would like to add that  
9 you think would be of assistance?

10 A Other than just go over that, you know, in fine  
11 detail, what I've given you so far.

12 Q And that's something I want to ask you about.  
13 I've got a number of documents here. There's really no  
14 reason for us to go over them on the record. But I'm going  
15 to look through them. I might ask you to stick around here  
16 for a little while.

17 A Okay.

18 Q I may or may not have some questions. We may have  
19 covered it.

20 Before we go off the record, any las thing you  
21 would like to add?

22 A It's kind of like a last request before they put  
23 you to death.

24 Q No, not really. I suspect it's impossible to get  
25 everything on a record such as this. You can't think of

1 everything. But I want to make sure you feel you've had the  
2 opportunity.

3 A I could probably tell you a lot more, but it would  
4 probably just rehash what I've told you, or what's in that.  
5 Like I said, you know, on my transfer over to -- my request  
6 to transfer over to mod implementation, you know, they're  
7 correct in saying that no position existed. But if I was  
8 going to do welding engineer full time, like Tim Cleary told  
9 me and it wasn't denied by CP&L, there was no reason that I  
10 couldn't go over there, because that's where 95 to 98  
11 percent of the welding is done, is over there.

12 Q And that wouldn't have involved any physical  
13 transfer of your family or your household.

14 A That's correct. And that's where I worked one  
15 time before, and I did that work over there. The guy that I  
16 would have gone to work for, I even worked for him before.  
17 He knew what I could do. And there was no reason to deny  
18 that transfer just because there was no position over there,  
19 because it just would have been moving this position from  
20 here over to here. Wouldn't have cost CP&L anything. But,  
21 like I said, the only reason I can think that they denied me  
22 transfer was to -- they want me off CP&L totally.

23 I asked personnel if -- you know, if I could ever  
24 be rehired. And they told me no. Put on my thing not to  
25 rehire.



1 Q Do you recall who told you that?

2 A Either Greg Newsome or Duane Walters. Probably  
3 Duane Walters.

4 Q What was Duane Walters' position?

5 A He's like assistant personnel. He worked for Greg  
6 Newsome. But I was told that, you know, I could never be  
7 rehired by CP&L anywhere. Not just at Raleigh plant. Any  
8 plant. Maybe that's their policy when they terminate  
9 somebody, but that kind of stuck in my craw too.

10 Q After you were terminated, did you attempt to gain  
11 employment at any other licensee, by any other licensee?

12 A I sent out some resumes, but I really didn't  
13 expect much back from them. If you're asking me whether  
14 CP&L contacted them and told them not to hire me, I would  
15 seriously doubt that.

16 Q Well, how about if they contacted CP&L?

17 A I think most -- well, I think all of them probably  
18 said, you know, they just didn't have any openings.

19 Q Okay.

20 A And I don't think that -- if they would have  
21 called CP&L, I don't know what CP&L would have said. I'd  
22 like to believe would have said, you know, he's a good guy.  
23 But I don't know.

24 Q You don't have any reason to believe that, for  
25 lack of a better term, you were black listed?

1 A No. All I know is that I can't work at CP&L  
2 anymore, even as a meter reader.

3 Q Based on what they told you.

4 A Yeah. Based on what he told me was in my  
5 personnel file, on my termination. I asked him if he could  
6 send me a copy of that, and he said no, he couldn't, it was  
7 against their policy. Same thing about, you know, giving me  
8 a definite reason for termination was against their policy  
9 to give me something in writing.

10 Q You were told that?

11 A Yes.

12 Q By whom?

13 A Duane Walters, I believe. All I wanted was  
14 something to say that I was terminated for poor performance.

15 Q And they refused to provide that.

16 A They refused to provide that. And also I wanted  
17 something saying I was not able to be rehired by CP&L, and  
18 they refused to give me that. I don't know why. I mean,  
19 that's not a big thing, I don't think.

20 MR. DOCKERY: Okay. Are you satisfied with the  
21 opportunity you've had here tonight to discuss your  
22 concerns?

23 THE WITNESS: Yes.

24 MR. DOCKERY: I think with that we'll conclude  
25 this record at approximately 8:15 p.m.

1                   Whereupon, at 8:15 p.m. the interview was  
2 concluded.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

REPORTER'S CERTIFICATE

This is to certify that the attached proceedings  
before the United States Nuclear Regulatory  
Commission  
in the matter of:

NAME OF PROCEEDING: Interview of Latimer

DOCKET NUMBER:

PLACE OF PROCEEDING: Charlotte, NC

were held as herein appears, and that this is the  
original transcript thereof for the file of the  
United States Nuclear Regulatory Commission taken  
by me and thereafter reduced to typewriting by me  
or under the direction of the court reporting  
company, and that the transcript is a true and  
accurate record of the foregoing proceedings.

*Richard Leslie*  
\_\_\_\_\_  
Official Reporter  
Ann Riley & Associates, Ltd.

CH. 1000

June 18, 1992

Docket No. 50-261  
License No. DPR-23

Carolina Power and Light Company  
ATTN: Mr. R. A. Watson  
Senior Vice President  
Nuclear Generation  
P. O. Box 1551  
Raleigh, NC 27602

Gentlemen:

SUBJECT: NRC INSPECTION REPORT NO. 50-261/92-13

This refers to the inspection conducted by N. Economos of this office on April 27 to May 1, 1992. The inspection included a review of activities authorized for your H. B. Robinson facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

Should you have any questions concerning this letter, please contact us.

Sincerely,

(Original signed by C. A. Julian)

Caudle A. Julian, Chief  
Engineering Branch  
Division of Reactor Safety

(cc w/encl - See page 2)

9207020154 3pp.

20

June 18, 1992

Enclosure:  
NRC INSpection Report

cc: w/encl:  
C. R. Dietz  
Vice President  
Robinson Nuclear Project Department  
H. B. Robinson Steam Electric Plant  
P. O. Box 790  
Hartsville, SC 29550

R. H. Chambers  
Plant General Manager  
H. B. Robinson Steam Electric Plant  
P. O. Box 790  
Hartsville, SC 29550

Heyward G. Shealy, Chief  
Bureau of Radiological Health  
Dept. of Health and Environmental  
Control  
2600 Bull Street  
Columbia, SC 29201

Dayne H. Brown, Director  
Division of Radiation Protection  
N. C. Department of Environment,  
Health & Natural Resources  
P. O. Box 27687  
Raleigh, NC 27611-7687

McCuen Morrell, Chairman  
Darlington County Board of Supervisor  
County Courthouse  
Darlington, SC 29535

H. Ray Starling  
~~Manager~~ - Legal Deptment  
Carolina Power and Light Co.  
P. O. Box 1551  
Raleigh, NC 27602

VICE  
President

(cc w/encl cont'd - See page 3)

Carolina Power and Light Company

3

June 18, 1992

(cc w/encl cont'd)

H. A. Cole  
Special Deputy Attorney General  
State of North Carolina  
P. O. Box 629  
Raleigh, NC 27602

Robert Gruber  
Executive Director  
Public Staff - NCUC  
P. O. Box 29520  
Raleigh, NC 27626-0520

~~E. L. HARRISON, MANAGER~~  
~~J. D. Kloosterman, Director~~  
Regulatory Compliance  
W. B. Robinson Steam Electric Plant  
P. O. Box 790  
Hartsville, SC 29550

bcc w/encl:

H. Christensen, RII  
B. Mozafari, NRR  
Document Control Desk

NRC Resident Inspector  
U. S. Nuclear Regulatory Commission  
Route 5, Box 413  
Hartsville, SC 29550

RII:DRS

NEconomos:ser

06/11/92

RII:DRS

JBlake

06/11/92

RII:DRS

HChristensen

06/11/92



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II  
101 MARIETTA STREET, N.W.  
ATLANTA, GEORGIA 30323

Report No.: 50-261/92-13

Licensee: Carolina Power and Light Company  
P. O. Box 1551  
Raleigh, NC 27602

Docket No.: 50-261

License No.: DPR-23

Facility Name: H. B. Robinson

Inspection Conducted: April 27 - May 1, 1992

Inspector: *Nick Economos*

Nick Economos

6/11/92  
Date Signed

Approved by: *Jerome Blake*

Jerome Blake, Chief  
Materials and Processes Section  
Engineering Branch  
Division of Reactor Safety

6/11/92  
Date Signed

### SUMMARY

#### Scope:

This routine, unannounced inspection was conducted in the areas of inservice inspection work activities, and maintenance.

#### Results:

Significant programmatic weaknesses were identified in the areas of maintenance and they are summarized below. Examination of S/G shell weld No. 5 (upper girth weld), confirmed the presence of recordable indications identified in previous inspections. These indications are undergoing analysis to determine possible changes from previous examinations and code acceptability. Eddy Current (EC) examination of S/G tubes disclosed no evidence of significant tube wall degradation through corrosion, one tube was plugged however because an obstruction precluded its inspection. The erosion corrosion program is directed by one individual who uses engineering judgement to determine inspection schedules,

~~9207000162~~ 61P



component replacement and material selection. There was no evidence of corporate involvement in this program. The licensee indicated that plans are underway to correct this problem. Pitting corrosion has degraded the service water piping at the intake structure to the extent that it is being replaced during this outage. This condition is mostly the result of neglect i.e., there have been no maintenance inspections to monitor the OD surface condition of these pipes and take appropriate preventative measures as necessary. The feedwater nozzle reducer to pipe welds have been monitored/examined during refueling outages since S/G replacement in 1984. No evidence of cracking has been detected.

In the areas inspected deviations or violations were not identified.

## Report Details

### 1. Persons Contacted

#### Licensee Employees

- \*R. Barnett, Manager Outages and Mod
- \*S. Barrett, Senior Specialist, NAD
  - E. Black, Supervisor, NDE Services
  - R. Chambers, General Plant Manager
  - R. Cooper, Senior Engineer Technical Support
- \*C. Dietz, Vice President, Robinson Nuclear Power Division
- \*W. Farmer, Manager, Engineering Programs
  - C. Griffin, Materials Engineer Nuclear Engineering Department
- \*J. Harrison, Regulatory Compliance Manager
  - J. Latimer, Welding Engineer, Technical Support
  - D. Meleg, Level III Eddy Current Examiner
- \*C. Osman, Principal NDE Specialist Technical Services Department
- \*M. Page, Manager, Technical Support
  - D. Weber, Senior Inservice Inspection Specialist

Other licensee employees contacted during this inspection included engineers, technicians, and office personnel.

#### NRC Resident Inspectors

L. W. Garner, Senior Resident Inspector

\*Attended Exit Interview -

### 2. Inservice Inspection (73753) Unit - 2

This inservice examination effort was the first such activity of the first period in the current (third) interval. The governing code for this interval is the ASME Code, Section XI 1986 Edition with no addenda. Volumetric and surface examinations scheduled for this outage were relatively few in number and as such had been completed at the time of this inspection. Activities in progress included confirmatory UT examinations of weld No. 5 in S/G(s) A&C, maintenance (pipe replacement) in the service water system and erosion corrosion inspections in the Heater Drain system. These activities were observed and will be discussed in the following paragraphs.

Within the areas examined violations or deviations were not identified.

3. Erosion/Corrosion - Induced Pipe Wall Thinning Program.

In response to Generic Letter 89-08 requirements and the licensee's response dated July 21, 1989 the inspector observed a scheduled examination on component, No. 1HD24. This was a schedule 40, 12x8 reducer in line number 8-HD-233 of the Heater Drain system. The observation included grid layout, instrument calibration, data acquisition using a Panametrics 26DL Plus unit and downloading. Nominal material thickness was identified a 0.406 inches, with a minimum of 0.346 inches. Following this field observation, the inspector reviewed the controlling document, identified as Maintenance Instruction (MI) No. 010-1, Erosion/Corrosion Control Program dated June 10, 1987 and discussed with the cognizant engineer, administrative controls including: use of EPRI's codes Chec-NDE and Checmate, corporate involvement in terms of design engineering support, and program management. Following this discussion, the inspector ascertained that the licensee has committed at best, only a minimum amount of resources in this program. For example, there is no objective evidence of corporate involvement in the Robinson Erosion/Corrosion (E/C), program in terms of an approved corporate manual to address, programmatic direction, decision making responsibilities, component replacement, data management etc. The program is presently directed by one engineer, on a part time basis, who decides what components are inspected, when they are replaced and what types of replacement material is to be used. There are no program driven acceptance criteria based on projected wear rates or trending of systems and specific components. The engineer relies heavily on personal experience and knowledge of system performance, as guidance to generate inspection scope(s) during outages. Some systems have been modeled after a Checmate Computer Code, but predictions made by this program have been so incredibly off the mark that the engineer has lost confidence in the system. Examples presented to support this position were, (1) Component between feedwater pump A to S/G "A", Checmate predicted failure 43K hours ago but U/T thickness measurements show it to be within code allowable limits, (2) component between heater drain "B" and heater drain tank "B", Checmate predicted failure 134,015. hours ago but the component still meets code allowable limits. This poor reliability has diminished confidence in this code to the point that it is not utilized or relied upon as a predictive tool.

The inspector ascertained that the heater drain lines have experienced the greatest amount of wear. This system contains mostly carbon steel piping

except for lines No. 5 and No. 6 which have been replaced with C Mo, low alloy material. Smaller lines i.e. one inch or less have been replaced with stainless steel material. The inspector expressed his concerns over the lack of corporate involvement and organization in this program prior to and at the exit interview. Management concurred with the inspector's observations and indicate that although some steps have been taken to phase in corporate involvement into the program, additional efforts will be made to expedite this process. The inspector indicated that Inspector Followup Item (IFI) 92-13-01, Erosion/Corrosion Program Improvement, would be identified for tracking purposes.

#### 4. Licensee Action on Previous Inspection Findings

(Open) IFI 261/92-09-02, Corrosion on Exterior Surfaces of Service Water Lines at the Intake Structure

This item was opened to document concern over the pitting corrosion attack identified on the exterior surfaces of the downcomers connecting the pumps to the header at the Intake Service Water Structure. Since the subject inspection, the licensee evaluated the extent of the damage and determined that the components in question (downcomers), should be replaced during this outage. The governing code of the affected piping is the American Water Works Association (AWWA). The replacement material is the same as that now in place, A139 Grade B, except that nominal wall thickness has been increased from 0.125 inches to 0.188 inches. No decision has been reached on the external protective coating to be applied. The 31 inch header is made of the same material and has the same nominal wall thickness as the downcomer replacement material. The inspectors performed a visual inspection to observe and assess the heretofore described corrosive attack on the downcomers and on the 31 inch header. By this inspection, the inspector verified the concern documented in the aforementioned IFI. The inspector concentrated his efforts on an area of about 20 to 30 square inches located on the east side of the header. This area is currently being investigated by the licensee to assess the extent of the damage and to determine if the header is acceptable for continued service without repair. By observation and through discussions the inspector ascertained that the licensee has no preventive maintenance program to monitor the condition of piping exposed to the environment, as in this type application. Therefore it would appear that the lack of preventive maintenance and neglect permitted the corrosive attack to go unchecked and cause the degraded condition which rendered the downcomers unacceptable for continued service. The replacement activity, the evaluation of the Header and implementation will be revisited on a future inspection on a routine basis. This item will remain open until this review is completed.

## 5. Exit Interview

The inspection scope and results were summarized on May 1, 1992, with those persons indicated in paragraph 1. The inspector described the areas inspected and discussed in detail the inspection results listed below. Proprietary information is not contained in this report. Dissenting comments were not received from the licensee.