

ORIGINAL

UNITED STATES
NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:

BRAIDWOOD STATION

UNITS 1 & 2

COMMONWEALTH EDISON COMPANY

DOCKET NO:

50-456/457-OL

(EVIDENTIARY HEARING)

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NATIONWIDE COVERAGE

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3 BEFORE THE ATOMIC SAFETY AND LICENSING BOARD
4

5 -----x
6 In the Matter of: :
7 COMMONWEALTH EDISON COMPANY : Docket No. 50-456
8 (Braidwood Station, Units 1 : 50-457
9 and 2) :
10 -----x

11 Page: 8459 - 8629

12 College of St. Francis
13 500 North Wilcox
14 Joliet, Illinois 60431

15 Wednesday, July 23, 1986

16 The hearing in the above-entitled matter convened
17 at 2:00 P. M.

18 BEFORE:

19 JUDGE HERBERT GROSSMAN, Chairman
20 Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C.

21 JUDGE RICHARD F. COLE, Member,
22 Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
23 Washington, D. C.

24 JUDGE A. DIXON CALLIHAN, Member,
25 Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Washington, D. C.

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APPEARANCES:

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On behalf of the Intervenor:

ROBERT GUILD, ESQ.

EXHIBIT INDEX

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TESTIMONY OF ROBERT DUANE HUNTER

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BY MR. GALLO: 8623

1 JUDGE GROSSMAN: The hearing is reconvened.

2 This is the 42nd day of hearing.

3 Before we call the witness, there are a few
4 preliminary matters.

5 One, we've issued a memorandum and order denying
6 the contention on overstressed structural columns.

7 We don't have a copy, because I signed that on my
8 way out of the office this morning and didn't have a
9 chance to get it reproduced.

10 Secondly, we've issued a Notice of Intent to
11 Disclose on the protective order to OI, Office of
12 Investigations, with regard to the matter that we had
13 been discussing recently, and the protective order would
14 limit those matters to trial counsel, but we have to
15 wait for a response from OI.

16 In it, we also mention that there's another OI
17 investigation that was mentioned to us that is
18 marginally relevant to this proceeding, because it does
19 involve a QC Inspector who was harassed or intimidated
20 by a crafts person, and the only relevance would be with
21 regard to the response of QC management to that.

22 I don't know that that has much significance, but
23 we've asked OI to release that, and apparently there
24 isn't any objection.

25 They just moved on it. Apparently they are

1 completing that report or sending forward what they've
2 completed, and I guess it just hasn't reached anyone who
3 could decide to release it; so we've urged them to do
4 that now.

5 But now, also, in our Notice of Intent to Disclose,
6 we've indicated that we intend to authorize a subpoena
7 that had been requested, and we indicated that we would
8 issue such subpoena on July 29th, which is next Tuesday,
9 unless we hear otherwise from the Commission or its
10 authorized representative.

11 We did get Applicant's pleading, but we don't find
12 that what Intervenors have done has been untimely, and
13 we do consider the matters in that investigation to be
14 relevant to this proceeding, and we don't have to act on
15 the alternative request to admit a new contention with
16 regard to that.

17 The only question is whether the matters would be
18 released.

19 As far as the subpoena goes, we don't see any
20 grounds for denying the subpoena, which, really, would
21 depend on whether the matters are relevant, which they
22 are.

23 Of course, the person subpoenaed can always move to
24 quash, but we would think that, under the circumstances,
25 serving a subpoena and having him testify under

1 protective order would probably be more beneficial to
2 him, in any event, than having to fight a subpoena,
3 which I think he might not prevail on, anyway; but we'll
4 see what the Commission has to say on it, if anything,
5 by next Tuesday.

6 With that, if there are no further preliminary
7 matters --

8 MR. BERRY: Just one question, Mr.
9 Chairman -- just one question, Mr. Chairman, for
10 clarification.

11 Did I understand the Board to say that -- that it
12 did -- no further action is required on the
13 Applicant's -- on the Intervenor's motion to admit the
14 Late-Filed Contention; that the Board has ruled that it
15 is --

16 JUDGE GROSSMAN: With regard to that matter
17 under investigation?

18 MR. BERRY: Yes.

19 JUDGE GROSSMAN: Well, yes, we've decided
20 that it's relevant; and, of course, we know more about
21 the investigation than the parties do at this point,
22 other than OI.

23 MR. BERRY: I just want to be clear as to
24 just what the Board's ruling is just for my own
25 information.

1 Has the Board ruled that it's within the scope of
2 the existing contention?

3 JUDGE GROSSMAN: Yes, that that's what our
4 ruling is.

5 MR. GALLO: Judge Grossman, will we see the
6 order prior to any filing by OI?

7 JUDGE GROSSMAN: Our order, no.

8 I'm telling you basically what I can tell you about
9 what we've done.

10 Otherwise, we've discussed in the order the
11 relevance of that matter to the proceeding here; but,
12 obviously, we can't disclose that to the parties,
13 because it would be disclosing matters in the
14 investigation, and we're not authorized to do that.

15 MR. GALLO: Judge Grossman, is the potential
16 issue, if raised by OI, one of compromising their
17 investigation as opposed to protecting the confidence of
18 the individual involved?

19 JUDGE GROSSMAN: Both, because they promised
20 protection to the individual and they didn't breach it,
21 at least not officially or knowingly. Perhaps someone
22 in their office did -- no one knows that -- but,
23 nevertheless, they still offered him that, and he asked
24 for that; and I understand that the subject is not -- or
25 the allegor is not amenable to withdrawing his request

1 for confidentiality, so it's that, plus compromising the
2 investigation, also.

3 But I'm not even at liberty to tell you what's been
4 done or what hasn't been done in the investigation, so
5 that you just have to brief it in the dark as far as
6 those problems go.

7 It's not as though there's any great exclusion to
8 the problems with regard to investigations that are
9 going on; and I'm not sure that the Policy Statement
10 isn't the best procedure that they could have devised
11 under the circumstances, but that's certainly what we
12 have to work under.

13 Any further questions on that?

14 MR. GALLO: I have a different preliminary
15 matters.

16 JUDGE GROSSMAN: Oh, okay.

17 Mr. Gallo.

18 MR. GALLO: As the Board will recall, I took
19 custody of Mr. Martin's notebooks and other materials,
20 and over the recess, we have had those materials
21 Xeroxed, and with the permission -- I don't know if the
22 Board wants to receive them at this point, but --

23 JUDGE GROSSMAN: I think Judge Cole does, but
24 I don't.

25 (Laughter.)

1 MR. GALLO: I gave one to the Staff and to
2 Mr. Guild.

3 The front page shows a blank for the exhibit
4 number, because I anticipate that they will become an
5 exhibit, a group exhibit, through either the admission
6 by -- or the introduction by Intervenors or by
7 Applicant.

8 Now, what they consist of is -- the booklets
9 themselves have been -- of which there are eight -- have
10 been Xeroxed page by page, and each book -- each book
11 had been stapled together, and I'd say each one is
12 approximately three-eighths of an inch thick; and then
13 the inspection results on the hangers is a unit; and
14 then there was an unmarked black notebook, which has
15 been just designated as such; and then there was some
16 miscellaneous material furnished initially before the
17 hearing got under way by Mr. Martin -- that's one
18 group -- and then there was some additional
19 miscellaneous material provided just prior to the
20 recess -- and that's the last group -- so, altogether --
21 and I shall return Mr. Martin's originals when we see
22 him next.

23 JUDGE GROSSMAN: Okay, fine.

24 I suggest, though, whichever counsel is examining
25 him have the originals at the time, because there were a

1 lot of highlightings in the originals that may not come
2 out quite the same in the copies.

3 MR. GALLO: Well, I'm told that the copying
4 took that into account. We have a Xerox machine that
5 can be adjusted to take that highlighting problem into
6 account.

7 But, in any event, maybe I should give custody of
8 the originals to the Board.

9 The Board can make them available as appropriate.

10 JUDGE GROSSMAN: Perhaps you ought to give
11 custody to other counsel, either Mr. Guild or Mr. Berry,
12 and the other one get custody the next day or whenever
13 it's convenient.

14 Well, Mr. Guild, you will be examining, so I think
15 Mr. Guild ought to get custody, in fact.

16 MR. GUILD: I'll be happy to take custody;
17 and I'll make it available to other counsel if they
18 would like to review the documents.

19 JUDGE GROSSMAN: Well, you already have it in
20 total for Mr. Guild.

21 Any further preliminary matters before we go on to
22 the next witness?

23 (No response.)

24 JUDGE GROSSMAN: No. Fine.

25 Mr. Guild, why don't you call your next witness,

1 please.

2 MR. GUILD: Thank you, Mr. Chairman.

3 Intervenors would call Robert Hunter to the stand.

4 Mr. Hunter, if you would step forward and be sworn.

5 JUDGE GROSSMAN: Mr. Hunter, remain standing.
6 Raise your right hand.

7 (The witness was thereupon duly sworn.)

8 JUDGE GROSSMAN: Please be seated.

9 MR. GUILD: Mr. Hunter, there's a microphone
10 on the table in front of you, and if you put that around
11 your neck, I think we can all hear you.

12 ROBERT DUANE HUNTER

13 called as a witness by the Intervenors, having been first
14 duly sworn, was examined and testified as follows:

15 DIRECT EXAMINATION

16 BY MR. GUILD:

17 Q Would you state your full name and your residence
18 address for the record, please?

19 A Robert Duane Hunter. My permanent address is Route 4,
20 Box 141, Centralia, Missouri.

21 Q And do you go by R. D.?

22 A Right.

23 Q All right, sir.

24 You were formerly employed as a Level II Quality
25 Control Inspector under the working direction of the L.

1 K. Comstock Company at Braidwood, were you not?

2 A Yes, at one time I was.

3 Q All right.

4 And technically working for BESTCO, a job shop at
5 the time?

6 A Yes, that was my last job.

7 Q All right.

8 And what was your last day of employment for BESTCO
9 under the Comstock agreement?

10 A I believe it was March the 26th, if I'm not mistaken.

11 Q All right, sir.

12 Would you state your date --

13 JUDGE CALLIHAN: What year?

14 THE WITNESS: 1986.

15 JUDGE CALLIHAN: Thank you.

16 MR. GUILD: Thank you, Judge.

17 BY MR. GUILD:

18 Q Would you state your date of birth for the record, Mr.
19 Hunter?

20 A November the 4th, 1931.

21 Q All right, sir.

22 Are you a welder by trade?

23 A Yes, I am.

24 Q All right, sir.

25 And how long have you been a welder?

1 A I went through aircraft welders school in 1949, and I've
2 probably been in the trade ever since that.

3 Q Was that with the United States Air Force?

4 A Yes.

5 Q All right, sir.

6 Would you recount briefly, for the record and the
7 parties, your job experience beginning with that
8 training as a welder?

9 A Yes. On December the 18th, 1953, I was honorably
10 discharged from the U. S. Air Force. I returned to my
11 home; at that time with my parents.

12 I worked at a few maintenance jobs for people, like
13 A. B. Chance Company, which is now a division of Emerson
14 Electric, in maintenance.

15 Q Can you spell the name of the company?

16 A A. B. Chance Company?

17 Q Yes.

18 A C-H-A-N-C-E.

19 Q The initials A. B.?

20 A Yes, A. B. Chance Company.

21 That's an electrical hardware manufacturing
22 concern.

23 Q All right, sir.

24 Did you do weld work for them?

25 A Yes. Like I say, it was maintenance work -- we rebuilt

1 a drop forge -- but I did both maintenance welding and
2 production welding --

3 Q All right.

4 A -- while I was employed at that time.

5 In 1956 to 1957, I attended Arkansas Polytechnic
6 College at Russell, Arkansas, majoring in general
7 agriculture. I received an associate degree in general
8 agriculture.

9 I returned to Missouri; worked for the University
10 of Missouri for a short period of time as a herdsman for
11 the university.

12 Q Cows --

13 A Lack of money --

14 Q -- livestock?

15 A Yes, it was dairy -- it was dairy department.

16 Q All right, sir.

17 A As everyone knows, the pay wasn't too good, so I went
18 into construction with a concern called Bill Reinheart
19 Construction.

20 Q All right.

21 A In that capacity, I did a little bit of everything.

22 We did commercial buildings, state and federal
23 buildings, homes, one thing and another.

24 In 1960 to '64, I was employed by National Sugar
25 Manufacturing Company in a capacity of millwright,

1 welder, production superintendent and so forth.

2 Q A sugar mill?

3 A Yes, it was a -- it was a beat -- beat plant in
4 Colorado.

5 Q All right, sir.

6 A From 1964, you might say, to probably '67, with
7 different construction companies in the pipeline, pipe
8 laying, transportation, distribution system as a pipe
9 welder.

10 I believe there was approximately three years with
11 Allis-Chalmers as a millwright, plant maintenance man.

12 In the --

13 Q Let me interrupt you.

14 When you did the pipe welding work, was it to any
15 code or standard, Mr. Hunter?

16 A Yes; that was AWS Code; right.

17 Q All right, sir.

18 I'm sorry I interrupted you.

19 From '64 --

20 A Yes, yes.

21 Q -- after the pipe weld jobs, what did you do then?

22 A Worked for Allis-Chalmers approximately three years on
23 two different occasions as a millwright, plant
24 maintenance man, plant modification, setting up of
25 equipment and so forth.

1 Q What was the nature of Chalmers' work that you were
2 involved in?

3 A That was a manufacturing plant.

4 Q They manufactured heavy equipment, farm implements?

5 A Farm equipment.

6 Q All right, sir.

7 A At Zener Division, mostly, at Independence, Missouri.

8 Q That took you to 1974?

9 A That -- up to about '72.

10 And then from '72 to '74, I run a small fab shop or
11 custom manufacturing plant.

12 Q Did you do weld work at that time?

13 A Yes, all work: Machinist work, weld work and
14 everything.

15 Q All right.

16 You were self-employed then?

17 A Self-employed; right.

18 7 -- '75, '76, in that area, I was maintenance
19 superintendent for Ohrslen Brake Lever in Mobeler,
20 Missouri.

21 Q Can you spell the last name that came up?

22 A Ohrslen?

23 Q Yes.

24 A O-H-R-S-L-E-N.

25 Q What was the nature of their work?

1 A It was all plant and facility maintenance, supervision.

2 Q What sort of work did they do?

3 A They had contracts with all the major automotice
4 manufacturers. They built things such as brake levers,
5 clutch levers, dozens of different things for the
6 different automotive manufacturers, International,
7 Caterpillar, everybody. They worked for everyone.

8 Q All right, sir.

9 A From '76 to '79, I worked as an instructor in the public
10 school system teaching basic welding more than anything
11 else.

12 In '79 I went to Norco, Louisiana, for Shell Oil
13 Company -- or, actually, the contractor was
14 Pullman-Kellogg, as a weld inspector, and tested welders
15 at the union facility there in Metairie for some eight
16 months.

17 Q In Louisiana?

18 A Yes.

19 Q All right.

20 Were you working to any codes or --

21 A Yes --

22 Q -- any code?

23 A -- it was all code work.

24 Q What was the code involved?

25 A ANSI, AWS.

- 1 Q Were these pressure vessels you were working on?
- 2 A Yes.
- 3 Q All right.
- 4 Pipeline work?
- 5 A It was refinery.
- 6 Q Refinery?
- 7 A Yes, breaking down of petroleum.
- 8 Q Did this involve X-ray pipe welding?
- 9 A Oh, yes.
- 10 Q Work subject to radiographic inspection?
- 11 A Yes; a lot of it.
- 12 Q All right.
- 13 After Pullman-Kellog then?
- 14 A I went with -- worked for an outfit called Project
15 Construction Cooperation; and they had a contract with
16 Amoco here in Chicago to build the Whitney Canyon
17 Project. That was up until 1982.
- 18 In '83 I come with -- with Comstock.
- 19 Q All right.
- 20 The '82 job, what was the nature of that facility?
- 21 A That was a sour gas refinery unit at Evanston, Wyoming.
- 22 Q That extracted --
- 23 A Yes, salt.
- 24 Q -- gas -- sulfur gas?
- 25 A Right.

1 Q All right.

2 And did that involve any code welding or welding
3 inspection?

4 A Oh, yes, all of that's coded work.

5 Q Was that code pipe welding?

6 A Well, yes, we did the whole -- the one company did the
7 whole job, so we covered the whole construction area.

8 Q Was that the AWS Code?

9 A AWS, ANSI.

10 Q ASME?

11 A Yes.

12 Q All right, sir.

13 Then in October of 1983, you joined the L. K.
14 Comstock Company --

15 A That's true.

16 Q -- at Braidwood?

17 A That's true.

18 Q All right, sir.

19 When you came on in October of '83 -- well, before
20 I begin this -- and after your employment with Comstock
21 terminated in the spring of 1986, Mr. Hunter, what work
22 have you done since then?

23 A At the present time, I am employed by Telecom -- or,
24 actually, U. S. Sprint --

25 Q All right.

1 A -- as a general area inspector.

2 Q All right.

3 You do quality control inspection work for them?

4 A Yes.

5 Q What's the nature of their business?

6 A Actually, communications.

7 Q They run lines --

8 A Yes.

9 Q -- for telephone communications?

10 A Right.

11 Q All right, sir.

12 Are you also self-employed in the farming business
13 as well?

14 A Oh, yes.

15 I have been for the last 25, 30 years, yes.

16 Q All right.

17 What kind of farming do you do do?

18 A I only have a small farm. I have some pure bred Mary
19 Gray cattle;, some good ones and some not so good, of
20 course.

21 Q All right, sir.

22 Now --

23 A Expensive hobby today.

24 Q All right.

25 Back to October, '83:

1 You joined Comstock, and you did so as a Level II
2 Quality Control Inspector?

3 A That's correct.

4 Q All right.

5 And what areas did you become certified in at
6 Comstock?

7 A Welding and receiving.

8 Q Okay.

9 How quickly after you started did you become
10 certified in welding?

11 A Oh, approximately 30 days or less.

12 Q All right.

13 And how much later did you get your receipt
14 certification?

15 A It was probably a year or so; maybe -- maybe even --
16 might even have been 18 months.

17 Q All right.

18 Did you do principally weld inspection work at
19 Comstock?

20 A Yes, I did.

21 Q All right.

22 Did you do some, but little, receipt inspection?

23 A Yes, that's correct.

24 Q Now, when you came on as a Weld Inspector, for whom did
25 you work directly?

1 A At that time a young man by the name of Bruce Brown was
2 considered the Lead Inspector.

3 Q What other Weld Inspectors worked with you at that time,
4 Mr. Hunter?

5 A Klatchko, Mark Klatchko.

6 Q Klatchko?

7 A Yes, Klatchko.

8 Q Well, any others?

9 A Well, at that time they was the only two, actually,
10 Leads that we had.

11 Q All right.

12 How about other Weld Inspectors, non-Leads but
13 Level II Weld Inspectors beside yourself? Who else was
14 there at that time?

15 A The day I come in, a fellow by the name of Bill Nolker
16 came in with a lot of experience.

17 Q Can you spell his last name for the record?

18 A N-O-L-K-E-R, if I'm not mistaken.

19 Q All right, sir.

20 A There wasn't too many Weld Inspectors. I would say
21 probably less than 12.

22 Q All right.

23 Can you recall any of the names of the others?

24 A I'm not -- I couldn't recall them right offhand who had
25 their certificates -- I mean, who had their

1 certifications and who didn't.

2 Q All right, sir.

3 Above Mr. Brown -- if he was the Lead in welding,
4 who was above him in the chain of supervision?

5 A We had both -- Larry Seese had just come on the job, I
6 believe, approximately 10 days before I did, or maybe
7 even a week before I did, as assistant manager, and Irv
8 DeWald as manager.

9 Q All right.

10 Was Mr. Seese in your chain of command? Was he
11 over weld inspection at the time?

12 A Well, at the time I -- I couldn't say whether Larry was
13 in charge of welding or just Irv.

14 I think it was just Irv pretty well took care of
15 that.

16 Q All right.

17 And at that time, after getting certified
18 approximately a month into your tenure, what sort of
19 work did they have you doing, Mr. Hunter?

20 A Pretty well everything. At the time we not only looked
21 at hangers, but we also looked at pans; any type of
22 welding that was going on that Comstock was doing.

23 Q Okay.

24 These are cable pan hangers --

25 A Yes.

1 Q -- and cable pans?

2 A Right.

3 Q All right.

4 Now, did you become aware that there was a backlog
5 in the conduct of inspections of installed electrical
6 work?

7 A Yes. I'd say for the first 12 months that I was here,
8 we just worked on backlog alone. We didn't have no
9 current or no in-process welding going on at all,
10 inspection -- weld inspection. Everything was
11 backlogged.

12 Q Your work was trying to address and correct this
13 backlog?

14 A Yes, it was trying to catch up with things that they had
15 done years before.

16 Q Okay.

17 And were you aware that Mr. DeWald himself had
18 previously performed weld inspection work when he was a
19 Level II?

20 A Of course, yes.

21 Well, of course, naturally, when you come on a
22 site, you find out what the manager done before and
23 things like that.

24 So someone said, "Well, Irv had been here as an
25 Inspector before he left and come back as a manager."

1 Q All right.

2 And were you aware that Mr. Richard Martin had
3 previously been a Weld Inspector?

4 A Yes.

5 Q All right.

6 Do you know -- did you have occasion to be asked to
7 review any of Mr. Martin's past inspection work?

8 A Yes. When I first come in and started inspecting, Irv
9 and I was talking, and Irv said, "Would you check Mr.
10 Martin's welds out," you know --

11 Q All right.

12 A -- and I -- actually, I said, "Yes," and he asked me to
13 give him no written report or anything like that; and I
14 made an honest report to him of what I thought the young
15 man was lacking.

16 Q All right.

17 Well, let me ask you, before you tell me what you
18 thought, if you have any understanding why Mr. DeWald
19 asked you to perform this work?

20 A Well, I'm pretty sure he realized that I had had a lot
21 of welding background, had actually done a lot of
22 welding.

23 Q All right.

24 So he asked you to go out and look at Martin's
25 work.

1 How did he identify or you identify what Mr. Martin
2 had previously inspected?

3 A By his stamp.

4 Q Okay.

5 What, did Mr. Marcin have a unique identifying QC
6 stamp?

7 A Yes, every Inspector -- every Inspector has, at that
8 time, either a config, a letter or something. Not a
9 number, just a config or a letter.

10 Q All right.

11 And you were informed what Mr. Martin's stamp was?

12 A Yes; I was, yes.

13 Q And did you -- were you told to look for his work in the
14 field --

15 A Well, I'm sure I was, I'm sure I was.

16 Q -- by Mr. DeWald?

17 A Whether it was -- whether it was in the steam tunnel
18 area or the -- or the containment or where, yes.

19 Q Okay.

20 DeWald sent you out, said, "Look for Martin's
21 work," and told you what his stamp was; is that the way
22 it happened?

23 A Well, he told me to check certain welds, yes.

24 Q And did he identify components to you to look at, Mr.
25 DeWald?

1 A Oh, I'm sure he did, I'm sure he did.

2 Q And did you do as he asked?

3 A Yes, I give him an answer, appraisal, of what I thought.

4 Q All right.

5 And what did you tell Mr. DeWald of Mr. Martin's --
6 of your review of Mr. Martin's work?

7 A I said that he was lacking in certain areas.

8 Q And what was the basis for that conclusion on your part?

9 A Well, he -- he might buy one weld today that -- it was
10 really, really, really rough, you know, maybe -- and at
11 that time we had a lot of rough welds -- and maybe the
12 next one, that was a pretty fair weld, as far as
13 conforming to -- to the criteria, well, maybe -- maybe
14 it should have been bought, maybe he rejected it. Maybe
15 it was just the opposite on the next one.

16 In other words, he wasn't consistent.

17 Q All right, all right.

18 And among those inconsistent inspections, you
19 observed conditions that, in your opinion, were rough or
20 rejectable but that had been accepted by Mr. Martin?

21 A Well, I wouldn't -- I wouldn't say that they were
22 rejectable.

23 I would just say that he would reject one that
24 maybe he should have bought, and maybe he would accept
25 the -- the next one but that he shouldn't have bought.

1 Q All right.

2 When you say "shouldn't have bought," that means --

3 A That means there was something lacking, either undercut
4 or maybe have a little cold lap, things of that nature.
5 In other words --

6 Q Conditions that, in your opinion, were rejectable?

7 A Yes, it would have been rejectable; right.

8 Q All right, sir.

9 Was Mr. Martin at that time performing weld
10 inspections, to your knowledge?

11 A If I'm not mistaken, Mr. Martin kept his stamp and his
12 hammer for approximately three months after I -- after
13 I -- I mean, when I -- when I arrived on the job, he had
14 his stamp for approximately three months.

15 Q All right.

16 And I take it, from your answer, you understood
17 that he lost his stamp --

18 A That's right, that's my understanding.

19 Q -- three months later?

20 A Right.

21 Q What was your understanding of the basis for Mr. Martin
22 losing his stamp?

23 A Well, I think someone said that he had too many PTL
24 rejections.

25 Q Pittsburgh Testing Laboratory --

1 A Right.

2 Q -- did the overview rejections --

3 A Right.

4 Q -- on a sample basis?

5 A Yes.

6 Q You understood Mr. Martin's work had too high a
7 rejection rate?

8 A That's true.

9 Q Do you remember what Mr. Martin's stamp was?

10 A Not offhand.

11 I know at one time he did have -- he also had J,
12 the same as Mr. Irv DeWald; but the only way they kept
13 up with that was the time period -- the time the hammer
14 was checked to a certain man until it was returned to a
15 certain man.

16 Q All right.

17 So Mr. Martin and Mr. DeWald both had the Weld
18 Inspector stamp symbol J; is that correct?

19 A If I'm not mistaken, that's correct.

20 Q But perhaps at different periods of time?

21 A Right, it was a different period of time.

22 Q Did Mr. Martin have any other stamp during another
23 period of time?

24 A I can't recall it right offhand, but I'm sure he did.

25 Q All right.

1 You believe he had a second stamp, Mr. Martin did?

2 A I think so.

3 Q But you can't recall what it was at this time?

4 A I can't recall.

5 Q All right, sir.

6 In any event, at that time you were aware of what
7 his symbol was and --

8 A Yes.

9 Q -- you --

10 A Oh, yes.

11 Q -- knew you were looking at a Rick Martin weld
12 inspection --

13 A Right.

14 Q -- when you went to the field?

15 A Right.

16 Q All right, sir.

17 What, if anything, did Mr. DeWald say to you when
18 you made this report to him about Mr. Martin's work?

19 A Well, he -- he said that the young man didn't have --
20 probably didn't have the experience, even, to -- to
21 actually make a bona fide judgment on close welds.

22 In other words, he probably went from a Level I to
23 a Level II too soon.

24 Q Level I QC Inspector to a Level II QC Inspector?

25 A Right, right.

1 Q Were you aware that Mr. Martin had previously worked as
2 a Level I Weld Inspector?

3 A Yes, he did.

4 I don't know for -- for the period of time, I don't
5 know.

6 Q All right.

7 Did you become aware of who trained Mr. Martin in
8 weld inspection?

9 A Well, naturally, you hear things; and the first thing
10 was that he was Irv DeWald's protege.

11 Q That Mr. Martin was Irv's protege?

12 A Right.

13 Q You used a term "bought off" or "buy off."

14 By that do you mean accept --

15 A Yes, accept or reject.

16 Q -- accept weld inspections?

17 A Right.

18 Q All right.

19 When you say "bought off," you mean accept, do you
20 not?

21 A Right.

22 Q Did you have occasion to go to the field with Mr.
23 Martin, at about this time, to accompany him in his weld
24 inspection?

25 A Yes, I'm sure that I accompanied Rick, you know, on a

1 few times on his inspections.

2 Q All right.

3 At about this period of time?

4 A At about this period of time; early -- probably --
5 probably early '84.

6 Q Did you have occasion to discuss with Mr. Martin the
7 deficiencies in his inspection work and the causes of
8 those deficiencies?

9 A Well, I'm sure we talked about it, I'm sure we did.

10 Q All right.

11 And what, if anything, did Mr. Martin tell you
12 about -- in his judgment, about his training background?

13 A Well, I'm pretty sure --

14 MR. GALLO: Objection.

15 The last answer from the witness, in answer to the
16 question, "Did you have occasion to talk to Mr. Martin
17 about the deficiencies," was -- the witness' answer was,
18 "I'm sure we did, I'm sure we did."

19 THE WITNESS: I'm sure I did.

20 MR. GALLO: That conveys to me no present
21 recollection of the conversation.

22 He's about now to elicit some testimony in answer
23 to a question of what that recollection was.

24 MR. GUILD: I think the record will reflect
25 it's more a figure of speech on the witness' part than

1 it is --

2 JUDGE GROSSMAN: It sounds like it might be;
3 but I think you better clear it up and ask him.

4 BY MR. GUILD:

5 Q Do you, in fact, recall having discussed the subject of
6 Mr. Martin's training with Mr. Martin at about this
7 time?

8 A Yes, I did.

9 Q All right, sir.

10 And what was the substance of Mr. Martin's
11 statement to you on that subject?

12 A I explained to Mr. Martin what the face of a weld should
13 look like, what the toe of a weld should look like --

14 Q I'm sorry.

15 The toe of the weld?

16 A Yes, the toe of the weld.

17 Q All right.

18 A I also explained to him whether they could be -- the
19 legs of the weld, the legs of a fillet weld --

20 Q All right.

21 A -- what a crater was.

22 He didn't know -- he didn't know -- he didn't know
23 what a rod crater was --

24 Q I don't either, so why don't you tell me?

25 A -- simple things.

1 Q What is a rod crater?

2 A When you pop the rod end out of the crater.

3 Q It leaves a crater or a depression?

4 A Yes; and the crater can start what we call fish eyes or
5 cracks, crater cracks.

6 Q All right, sir.

7 A He didn't know what a crater crack was.

8 Q You explained these things to Mr. Martin?

9 A Yes, I sure did, I sure did.

10 Q Did Mr. Martin describe to you what the source of his
11 training had been in weld inspection?

12 A Well, I'm pretty sure that he told me that Mr. Irv
13 DeWald had given him most of his training, weld
14 training.

15 Q Did you become aware of the methods that were previously
16 employed at Comstock, during Mr. DeWald and Mr. Martin's
17 tenure as Level II Inspectors, to perform weld
18 inspections in the field?

19 A Well, the program changed about every other day, so as
20 far as the program the day they done it, I don't know.

21 Q All right.

22 Did you have occasion then or later to review old
23 weld inspection reports from this period of time,
24 including reports prepared by Mr. DeWald and Mr. Martin?

25 A Oh, yes.

1 Q And what was the occasion on which you happened to
2 review such reports, Mr. Hunter?

3 A Different -- different programs, either AVO programs or
4 reinspection programs or something of that order, when
5 you went to the vault and pulled -- pulled their
6 documents out.

7 Q All right.

8 What does AVO stand for, Mr. Hunter?

9 A Avoid Verbal Orders.

10 Q Is that the title on a speed memo or a document?

11 A Well, I'm sure it's a -- yes, I'm -- it's on -- it's on
12 a speed memo, I'm sure.

13 Q The name is printed on the face of the document?

14 A AVO; right.

15 Q It's called an AVO.

16 It's a blank form for writing instructions or
17 comments?

18 A Right, that's true.

19 Q Now, when you, on those occasions, happened to go to the
20 vault to look at past documents, that was when you would
21 encounter the past inspection checklists by Mr. DeWald
22 and Mr. Martin?

23 A Oh, yes.

24 Q Now, did you understand that those checklists reflected
25 an identification of the installations inspected on the

1 basis of grid references?

2 Did you observe grid references on those documents?

3 A Yes, it said, "So many" -- "so many hangers on this
4 grid."

5 Q All right.

6 Would it give letter and number coordinates
7 identifying a location at a particular elevation in the
8 plant?

9 A Yes, it give -- give that location; right.

10 Q All right.

11 And that would be the identification of what had
12 been inspected by the Inspector on that Form 19?

13 A That's true.

14 Q All right.

15 And then it would list a total number of welds
16 within that grid location?

17 A Yes.

18 Q Now, did you have occasion to discuss with Mr. Martin
19 his practice in using the checklists with those sorts of
20 references on them?

21 A Yes.

22 Q And did Mr. Martin inform you how he had learned to
23 complete inspection documents in that form?

24 A Yes.

25 Q What did he tell you?

1 A He said that was the way it was done at that time and
2 that was the way he was instructed to do it by Mr. Irv
3 DeWald.

4 Q All right.

5 Now, on those documents, did you ever have occasion
6 to review Form 19 checklists that documented large
7 numbers of welds on a single checklist, say, in excess
8 of 100?

9 A Oh, yes.

10 Q Was it common to find checklists with more than a
11 hundred welds listed on them?

12 A Yes, at one time it was.

13 Q How about in excess of 500?

14 A I've probably seen that many on a checklist.

15 Q Did you become aware, in reviewing documents, that there
16 were instances where Weld Inspectors, in Mr. DeWald and
17 Mr. Martin's day, had inspected in excess of a thousand
18 welds on a single day?

19 A I've never seen -- I've never seen that inspection.

20 I was informed that it was there, but I've never
21 seen it.

22 Q All right.

23 Well, that's a single checklist.

24 Now, you have never seen a checklist with more than
25 a thousand welds on it; correct?

1 A That's correct.

2 Q All right.

3 How about multiple checklists with the same date
4 reflecting the performance of, in total, more than a
5 thousand welds in a single day?

6 A Oh, yes, I've seen several of those.

7 Q All right.

8 Now, to be clear:

9 Each checklist would list less than a thousand, but
10 would show the same date as the date on which the
11 inspection was at least signed off?

12 A That's true.

13 Q And if you totaled the number of welds up, there would
14 be more than a thousand on the same date; correct?

15 A That's true.

16 Q And who were the Inspectors that you recall associated
17 with those checklists?

18 A Well, Mr. Baker and Mr. Irv DeWald was the two main
19 ones. There was probably one or two others; Kass and
20 two or three others.

21 Q Let me ask the names again.

22 Parker, who was that? Do you recall who that was?

23 A That was an Inspector who there was at one time.

24 He had left before I arrived, of course.

25 Q Can you recall his first name?

1 A Not offhand.

2 Q All right.

3 And Mr. DeWald we know.

4 And who was the third gentleman?

5 A Kass, I believe, K-A-S-S or K-A --

6 Q How about Kast?

7 A Yes, Kast.

8 Q Mike Kast?

9 A Right, Mike Kast.

10 JUDGE GROSSMAN: Excuse me.

11 You are talking about multiple lists signed by the
12 same person?

13 THE WITNESS: The same day.

14 JUDGE GROSSMAN: Okay.

15 But by the same person on the same day?

16 THE WITNESS: That's correct.

17 JUDGE GROSSMAN: Okay.

18 BY MR. GUILD:

19 Q I know you've just answered the question in the
20 negative. You said you hadn't seen any thousand-plus
21 single checklists.

22 Had you ever heard that Mr. DeWald, when he was a
23 Level II, had inspected in excess of a thousand welds
24 in a single day?

25 A I had heard that, yes.

1 Q Had you ever heard that Mr. DeWald, when he was a Level
2 II Weld Inspector, had signed off on a single checklist
3 in excess of a thousand welds on a single day?

4 A Well, like I say, I -- I heard about the one that was
5 supposed to have been floating around.

6 I never saw it.

7 Q Okay.

8 Was that fact discussed commonly among the QC
9 Inspectors?

10 A Oh, yes.

11 MR. GALLO: Objection; form of the question.

12 I don't know what fact is being referred to, but it
13 sure isn't a thousand welds.

14 MR. GUILD: That remains to be seen, Mr.
15 Chairman.

16 But I don't mean to suggest that the matter is
17 established by my stating it that way.

18 It is a fact in the sense that I pose it to the
19 witness as a fact.

20 BY MR. GUILD:

21 Q The performance of Mr. DeWald -- by Mr. DeWald of in
22 excess of a thousand weld inspections on a single
23 inspection report was discussed commonly among QC
24 Inspectors?

25 A Yes, it was.

1 Q All right.

2 You didn't see the document personally, but --

3 A I never saw the document, sir.

4 Q All right, all right.

5 Did you ever talk to anyone who claimed to have
6 seen the document?

7 A Well, just -- you know, I mean, just general
8 conversation. Most everybody said they had seen it. I
9 never.

10 Q Okay.

11 Now, at the time you came on, you learned that
12 there was a backlog of QC inspections?

13 A That is correct.

14 Q Were those just in the weld inspection area or were they
15 in other disciplines as well?

16 A No, there was other disciplines, too.

17 Q You were doing weld inspection work?

18 A Right.

19 Q Now, had you ever heard any mention of a belief or fact
20 that Comstock was in danger of losing its contract for
21 the electrical work because of this backlog?

22 A Yes.

23 Q Did you ever hear that from Mr. DeWald?

24 A Oh, yes.

25 We used to have -- we used to have weekly meetings,

1 and Irv would try to bring us up where we stood on each
2 area or each project we was working on; and at one time
3 we had 32 different projects going. I remember that,
4 32.

5 Q All right.

6 These were special projects?

7 A These were all special projects; right.

8 Q All right.

9 And was it in that context that Mr. DeWald
10 mentioned that Comstock might lose the contract?

11 A Yes. He said that -- he would say that Comstock give
12 Com Ed the word that there would be a certain project
13 through with -- or up to a certain point at a certain
14 date; right.

15 Q All right.

16 And what reference, if any, did he make to the loss
17 of the contract?

18 A Well, he would always say, you know, "If we want to keep
19 our job, we've got to" -- "we've got to keep up." You
20 know, "We've got to" -- "we've got to get these projects
21 up to the promised date."

22 Q Okay.

23 Was that a common reference for Mr. DeWald to make?

24 A Yes, it was, at that time.

25 Q All right.

1 And you say "these meetings."

2 Are these the general meetings of QC Inspectors
3 that took place on Fridays?

4 A Usually on Friday, yes.

5 Q All right.

6 Can you recall any of the special projects on which
7 you worked, Mr. Hunter?

8 A Well, yes. I was on what they called the pan project
9 for approximately eight months.

10 Pan runs was pan to Unistrut.

11 Q Cable pans, now?

12 A Yes, cable pans.

13 Q All right.

14 And can you recall what year that eight months took
15 place in?

16 A Late '84 to mid-'85, I would say.

17 Q All right.

18 How about any other special projects on which you
19 worked?

20 A Yes. When I left there, I was on the AVO project; but
21 before that, there was several audits that -- come up
22 with an audit, find out that they had to get so many
23 inspections on certain things done, so that was called a
24 special project. They would usually give it a number.

25 Q All right.

1 Do you recall Mr. Marino coming to the site in
2 April of 1984?

3 A Yes, I do.

4 Q All right.

5 Mr. Marino was the Pittsburgh QA Manager for
6 Comstock, was he not?

7 A That is correct.

8 Q All right.

9 And can you recall the substance of what Mr. Marino
10 had to say in April of '84?

11 A Well, he wanted everyone to be certified across the
12 board -- that was the first thing -- and he made all
13 kind of little promises.

14 I took Mr. Marino to the jobsite for approximately
15 one-half-day myself and showed him some of the things
16 that the QC Inspectors were doing and tried to explain
17 some of the problems that QC had at the time.

18 Well, Mr. Marino was -- he had already made up his
19 mind of what he was going to do when he come down, I'm
20 sure.

21 Q Mr. Marino announced a Comstock pay restructuring plan?

22 A That's correct.

23 Q And, in substance, did that involve a 50-cent-per-hour
24 increment for each additional certification?

25 A Right.

1 MR. GALLO: Objection. Leading the witness
2 since this started,

3 I think he ought to -- Counsel ought to be directed
4 to cease doing that leading.

5 MR. GUILD: Well, I'm not leading the man.

6 JUDGE GROSSMAN: Yes.

7 Mr. Gallo, these are things that we've heard from
8 everybody, and he's moving him through preliminary
9 questioning.

10 I don't think we want to hold the hearing up for
11 things that aren't in controversy.

12 Is there a problem with that 50 cent an hour?

13 MR. GALLO: No, there's not a problem with
14 that.

15 But if, indeed, that's the Board's ruling, it seems
16 to me the testimony is cumulative and irrelevant and we
17 ought to move on to something new.

18 JUDGE GROSSMAN: Well, I assume that we're
19 laying a foundation for the controversial testimony, and
20 so let's just continue along this way.

21 I don't think you ought to slow it up, Mr. Guild.

22 MR. GUILD: Indeed, Mr. Chairman, the only way
23 I can inform the witness about the foundation for my
24 next questions is by proceeding.

25 JUDGE GROSSMAN: Proceed the way you are

1 going.

2 BY MR. GUILD:

3 Q You took Mr. Marino to the field.

4 Was that before or after he made his talk to the
5 Inspectors on site?

6 A I'm pretty sure it was probably before.

7 Q All right.

8 And did you advise or recommend or make any
9 suggestions to him about how they should handle problems
10 on the job?

11 A Yes. I explained to him that some of us -- there was
12 three or four of us older Inspectors that come there,
13 you know, as Weld Inspectors. We didn't come there as
14 cable pullers; we didn't come there, you know, to run
15 conduit; we didn't come there to do a lot of things; and
16 we explained to him that we thought it would be much
17 better if he set it up as a group of -- in the
18 electrical system, a group in the mechanical system,
19 whatever -- whatever the group -- whatever the fellow
20 was -- whatever his specialty was, rather than try to
21 certify him across -- across the board, because I think
22 there was 9 certs at the time or 11 -- 9, I
23 believe -- and we asked him -- said, "Can I" --
24 actually, "Can everybody be competent in all 9 certs,"
25 because you might -- you might do a cable pull today, it

1 might be six months, it might be a year, before you done
2 another cable pull, you know.

3 "Oh, yes, it would be much better for everyone to
4 be certified across the board." That was his answer.

5 Q All right, sir.

6 And then subsequently he announced a cross
7 certification plan --

8 A Yes.

9 Q -- that's been referred to?

10 A Yes, that's true.

11 Q You mentioned Mr. Marino made promises or you referred
12 to promises.

13 What was the nature of the promises that you are
14 referring to?

15 A Oh, yeah; that everybody would get trained no matter
16 what. You know, I mean, you just put in for your
17 training and it would take care of it and everything
18 like that.

19 It wouldn't -- it wouldn't be one guy coming in and
20 having five certs before the next one and all that.

21 Q All right.

22 And, of course, for you to get additional pay, you
23 had to get additional certifications?

24 A That's true.

25 Q Even if you were going to be primarily a Weld

1 Inspector --

2 A Right.

3 Q -- you couldn't get your 50-cent-a-cert increment --

4 A That's true.

5 Q -- without additional certs?

6 All right. Now, you said that was a promise.

7 Was that a promise that was kept?

8 A Not by 100 percent, no way.

9 Q And in what regard, in your program, was the promise not
10 kept?

11 A Some got trained in several different area, some got no
12 training, just according to what you were working on.

13 If you were working a hot project, one they claimed
14 to have by a certain date, you had to stay on that
15 project.

16 Q And by "stay on that project," you mean not take the
17 time to get trained in another area?

18 A Right, that's true.

19 Q You couldn't get trained, you couldn't get certified?

20 A That's true.

21 Q Now, did you have occasion to request training so that
22 you could cross certify?

23 A Yes, I did.

24 Q Let me show you a series of documents, Mr. Hunter,
25 and --

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(Indicating.)

A Mr. Marino said that -- put everything on speed memos.

Q All right.

To request training; is that what I understand?

A Right, that's true.

Q And you did so, did you not?

A (Indicating.)

Q You've got to answer orally so that the Court Reporter can pick you up.

A Do what, sir?

Q You nodded your head a moment ago.

I asked you if you put your requests on speed memos --

A Yes, sir.

Q -- and you nodded your head.

A Yes, sir.

Q I've shown you a series of documents --

MR. GUILD: And I apologize to the Board. They are out of order, not in sequence.

I ask that this be marked as Group Exhibit 66 for identification.

(Indicating.)

(The document was thereupon marked Intervenor's Exhibit No. 66 for identification as of July 23, 1986.)

1 BY MR. GUILD:

2 Q If you look through this stack of paper that I have put
3 before you, Mr. Hunter, you will see that there is a
4 document dated August 17, 1984, addressed to Mr. Marino.

5 Do you see that, sir?

6 It's a read and reply memo.

7 Do you find that, Mr. Hunter?

8 A Yes, sir, I do.

9 Q Okay.

10 And why did you send Mr. Marino that read and reply
11 memo?

12 A I had requested training before to either Mr. Irv DeWald
13 at the time or whoever was in charge of training.

14 Nothing had been done, so I sent this one to Mr.
15 Bob Marino.

16 Q I take it that you asked Mr. DeWald and others orally
17 for such training; is that right?

18 A I am sure that there was probably even some speed memos
19 that went to him.

20 Q Okay.

21 A I don't have them in my possession, but I'm sure there
22 were.

23 Q All right.

24 And what was the response, if anything, by Mr.
25 DeWald to the previous requests you had made for

1 training?

2 A "Just as quick as we caught up on a certain project, you
3 know, we would get training."

4 Q But in the meantime, stick to the project you are on?

5 A Yes, yes.

6 Q Okay.

7 And you were doing weld inspection at that time, I
8 take it?

9 A That's correct.

10 Q So you finally wrote this memo of August 17th to Mr.
11 Marino?

12 A Right.

13 Q And what, if any, response did you get from him?

14 A None whatsoever.

15 Q Did you get any response from anyone else to the August
16 17th Marino memo?

17 A No, I never did.

18 Q Now, in that memo of August 17th, you request to be
19 trained in CEA.

20 That's concrete expansion anchors; right?

21 A Correct.

22 Q Cable pulling, calibrations, conduit and et cetera.

23 Did you get training in those areas?

24 A No, I never.

25 Q Never did?

1 A Never did.

2 Q Now, the last page in the package of documents that I
3 have put before you bears a date of March 21, 1985, and
4 it is entitled "Performance Evaluation Form."

5 "Certification Area," it says "configurations," and
6 it appears to be signed by John Miner.

7 Did you take training in the area of
8 configurations?

9 A Yes, I did.

10 Q Okay.

11 And can you identify this last document to me?
12 Can you tell us what it is?

13 A You had to have an evaluation before you could go out
14 and take your practical, and this was my evaluation from
15 the fellow that I took training under, John Miner.

16 Q That was Mr. Miner?

17 A Yes.

18 Q I take it that it reflects a favorable evaluation of
19 your ability to do configurations?

20 A I think so.

21 Q Okay.

22 The last line says, "I feel Mr. Hunter is ready to
23 take his examination."

24 Did you shortly thereafter take an examination in
25 configurations?

1 A Well, I tried to, but it was turned down.

2 The day before or day or two before -- I say a day
3 or two.

4 At least a short time before I went out to take my
5 practical, someone -- I don't know who it was -- anyway,
6 they come up that in order to take a practical, you had
7 to have a supervisor with you.

8 There was no supervisor the day I took my practical
9 so I just just forgot it.

10 I did -- I did take my practical.

11 Q You did take a practical?

12 A Oh, yes.

13 Q But they didn't count it --

14 A Right.

15 Q -- because you didn't have a supervisor along?

16 A That's true.

17 Q All right.

18 Now, the top page of the stack of memos that I have
19 shown you is dated June 28, 1985, and it's addressed to
20 Mr. DeWald, Mr. Simile, Mr. Cordy and Mr. High, from
21 you, with a reply that appears to be signed by Mr.
22 Simile.

23 What were the circumstances of your sending this
24 memo?

25 A This was about the time that, in order to get the top

1 money that Brand Testing -- or Comstock was going to
2 pay -- I guess Brand Testing -- you had to have three
3 certs, so I requested that, any three certs.

4 Q All right.

5 At the time, in June of '85, when you sent this
6 memo, what were your certification areas?

7 A Welding and receiving.

8 Q All right.

9 And when did you get your receiving certification?

10 I may have asked you that already. I apologize if
11 I did.

12 A That I would have to look up. I can't tell you right
13 offhand.

14 It was approximately one year after I arrived at
15 the site; approximately one year.

16 Q So at the time of June of '85, in any event, you had the
17 two certifications?

18 A Yes, I did.

19 Q But you needed one more; correct?

20 A (Indicating.)

21 Q Is that correct?

22 A That's correct.

23 Q And Mr. Simile -- is that Mr. Simile's response to your
24 memo?

25 A No. I believe that's Mr. Seese.

1 Q Do you recognize that signature at the bottom there?

2 A I believe that is Mr. Seese.

3 Q Well, I hate to argue with a witness about that, but --

4 A I don't know whether it's Mr. Seese or Mr. Simile. I
5 really don't.

6 MR. GUILD: Okay.

7 I just think, Mr. Chairman, the record will reflect
8 a comparison of the signatures appears, to this Counsel,
9 in any event, to be Mr. Simile.

10 BY MR. GUILD:

11 Q Did you discuss it with anyone other than receiving this
12 written memo from whoever?

13 A That's all I received, just this.

14 Q And, in substance, whoever, Mr. Seese or Mr. Simile,
15 said, "Due to the present workload, training will be
16 scheduled at a later date"?

17 A That's true.

18 Q Did you get the training in the third cert?

19 A No, I never; no, I never.

20 Q You never did.

21 Looking at the last of the series of documents, the
22 July 12, '85 document, entitled, "Configuration."

23 Do you see that?

24 A Yes.

25 Q You asked to take a practical in configurations, and --

1 A Yes.

2 Q -- I see that -- is that your note at the bottom, "No
3 reply was given"?

4 A Yes; it's my initials, yes.

5 Q All right.

6 Ultimately, you did get a configuration?

7 A No, I never.

8 Q Oh, you didn't?

9 A No, I never.

10 Q I'm sorry. Okay.

11 That's correct.

12 Receiving was the only other --

13 A Right.

14 Q -- certification?

15 All right, sir.

16 JUDGE GROSSMAN: Why don't we --

17 BY MR. GUILD:

18 Q Did you get an oral reply --

19 JUDGE GROSSMAN: We're going to take a break.

20 MR. GUILD: If I could just finish, Mr.

21 Chairman.

22 JUDGE GROSSMAN: Oh, all right.

23 BY MR. GUILD:

24 Q Did you get any oral reply from any supervision to your
25 July, '85, memo requesting configuration training?

1 A Not that I know of.

2 MR. GUILD: All right, sir,

3 Mr. Chairman, before we recess, I'd ask that
4 Exhibit 66 be received in evidence.

5 JUDGE GROSSMAN: Any objection?

6 MR. GALLO: No objection.

7 The first sheet is Mr. Simile's signature.

8 JUDGE GROSSMAN: Okay, fine.

9 I accept that.

10 MR. GUILD: Thank you.

11 MR. BERRY: No objection.

12 JUDGE GROSSMAN: Okay.

13 Received.

14 (The document was thereupon received into
15 evidence as Intervenors' Exhibit No. 66.)

16 JUDGE GROSSMAN: We'll take a 10-minute minute
17 break.

18 (WHEREUPON, a recess was had, after which
19 the hearing was resumed as follows:)

20 JUDGE GROSSMAN: We're back in session.

21 Mr. Guild.

22 MR. GUILD: Thank you, Mr. Chairman.

23 BY MR. GUILD:

24 Q I asked you a few moments ago, Mr. Hunter, about the
25 backlog, and I believe you testified that you were aware

1 of one in inspections from the time you came on the
2 site, at least -- at least for a year after you were on
3 the job, in any event; correct?

4 A Yes, I'm sure it was probably over a year that we worked
5 nothing except backlog.

6 Q Now, do you recall a time when Mr. DeWald, during that
7 period, spoke to the Inspectors about completing the
8 weld inspection checklists with respect to the remarks
9 section of the form?

10 A Well, at one time Mr. DeWald made the remark, or maybe
11 it come out in a memo, you didn't have to worry about
12 the remarks section because the top of the Form 19 or
13 the inspection checklist would take care of everything
14 as far as accept or reject.

15 Q What was the reason, if you know, why Mr. DeWald raised
16 this issue? Why was he concerned about it, if you
17 know?

18 A Some of the fellows wanted to add notes into the remarks
19 about some of the conditions that they found during
20 their inspection.

21 Q Such as deficiencies they identified?

22 A Well, maybe not so much deficiencies, but the number of
23 welds that was missing; maybe where they -- even though
24 they took a Form 30 or ICR to track it, they would still
25 know where the -- where the welds were missing and

1 things like that on the hanger or whatever they was
2 inspecting.

3 Q All right.

4 So there may be some other documentation for a
5 deficiency.

6 But so that looking just at the checklist, one
7 would be able to see what the discrepancy were?

8 A That's true.

9 Q All right.

10 And was it Mr. DeWald's position that it took too
11 much time to fill out this portion of the form?

12 A Yes, I believe that was one of the things.

13 Q All right.

14 And because of the backlog, he was trying to save
15 time, I take it?

16 A I'm sure -- I'm sure he was.

17 Q And what were the --

18 JUDGE GROSSMAN: Mr. --

19 MR. GUILD: Mr. Chairman.

20 JUDGE GROSSMAN: Yes. You are leading a
21 little too much on this, Mr. Guild.

22 MR. GUILD: Yes. I'm referring, really, to
23 deposition testimony and trying to refresh the witness'
24 recollection.

25 JUDGE GROSSMAN: Oh, okay. I see.

1 BY MR. GUILD:

2 Q Do you recall so testifying in your deposition about the
3 checklists?

4 A Yes, I do.

5 Q All right.

6 Did the Inspectors respond at all, to your
7 recollection, to Mr. DeWald?

8 A Well -- well, yes. A lot of us tried to explain to Irv
9 that we needed that space down there to add notes and
10 things that you actually found in the inspection area.

11 Q All right.

12 To more completely document your inspection?

13 A Yes.

14 Q What was Mr. DeWald's response to those comments from
15 the Inspectors?

16 A Well, he said that there will be a new Form 19 coming
17 out in a few days, so we will change all that, and we'll
18 make sure there's enough space for all of us to add the
19 notations down there.

20 Q All right.

21 And was there a revision of the Form 19?

22 A Yes, yes.

23 I would say, in the two-and-a-half years I was
24 there, there were probably 7 to 10 revisions of the Form
25 19 alone.

1 Q All right.

2 Well, didn't they, in fact, reduce the size of the
3 remarks section to limit the amount of commentary that
4 an Inspector could note on a form?

5 A Yes, at one time they did.

6 Q And was that at about the time that Mr. DeWald --

7 A Yes.

8 Q -- discussed this?

9 A It was in that area, yes.

10 Q So was it, in effect, Mr. DeWald's remedy to this
11 problem to -- or the way he followed through on his
12 instructions was to revise the Form 19 to reduce the
13 size of the remarks section; correct?

14 MR. GALLO: I'll object.

15 Again, he's leading the witness on a new area.

16 THE WITNESS: The question?

17 MR. GUILD: Okay.

18 JUDGE GROSSMAN: Well, we'll have an answer
19 to the question.

20 Was this on deposition?

21 MR. GUILD: It was, Mr. Chairman.

22 MR. GALLO: Well, my recollection of the
23 deposition is certainly the matters -- the subject was
24 on a deposition, but not this particular matter.

25 Perhaps Counsel can inform me otherwise by

1 referring to the page of the transcript.

2 JUDGE GROSSMAN: Well, let's see if we can
3 assure it.

4 Did Mr. DeWald take any action after the Inspectors
5 requested that there be more room to make remarks?

6 THE WITNESS: Yes.

7 JUDGE GROSSMAN: Now, what action did he take
8 after that?

9 THE WITNESS: Mr. DeWald said, "Well, if
10 that's the way the Inspectors feel, that they actually
11 need to add some notations or some comments in this
12 section, that it would be enlarged."

13 JUDGE GROSSMAN: Okay.

14 So did he then enlarge it?

15 THE WITNESS: Yes, he did.

16 JUDGE GROSSMAN: Oh, okay.

17 BY MR. GUILD:

18 Q Did he subsequently reduce it, the size of the Form 19
19 remarks section?

20 A Yes, previously he did.

21 Q In which order did things happen, Mr. Hunter?

22 A He reduced it first and then the Inspectors complained
23 that they needed more space.

24 Q I see.

25 And then it went back to the old size?

1 A Yes, it did.

2 Q I see.

3 A Enlarged even, if I'm not mistaken.

4 Q Okay.

5 Did you have occasion to work with Mr. Saklak
6 during the first year or so that you were on the job,
7 during the period when there was a backlog of
8 inspections?

9 A Mr. Saklak, if I'm not mistaken, was in charge of
10 welding, so if I did, it would be under just one of his
11 special programs.

12 Q Saklak never was the direct supervisor of weld
13 inspections, was he?

14 A No, he wasn't.

15 Q He wasn't trained as a welder or Weld Inspector, was he?

16 A No, he wasn't.

17 Q But during some special programs, you did work for
18 Saklak?

19 A Yes.

20 Q Can you identify which programs -- in which programs you
21 worked under him?

22 A Well, the numbers I don't remember; but what they was
23 usually was it would be a -- a cable pan run that they
24 needed to have cables pulled in, things on that order.

25 In other words, if they needed -- needed the

1 inspections done right fast on a pan run or something in
2 that order, why, I was usually assigned to his crew to
3 do the weld inspections on the hangers or on the pans or
4 something of that order, yes.

5 Q All right.

6 Did you have an opportunity to observe Mr. Saklak,
7 either during that time or otherwise, in the way he
8 interacted with other QC Inspectors?

9 A Oh, yes. We set all in the same room at the time pretty
10 well. We only had the one area for Weld Inspectors to
11 write up their Form 19's or whatever -- whatever --
12 whatever they were doing.

13 Q All right.

14 So you sat in the same room even when you weren't
15 working directly under Saklak?

16 A Yes, I did.

17 Q And during that whole period of time, you were in a
18 position where you could observe Mr. Saklak?

19 A Yeah, I could; yes, I could.

20 Q And how did he -- can you describe his demeanor or the
21 way he acted towards other Inspectors?

22 A Well, he was a little bit overbearing to people that he
23 thought that he could -- could intimidate.

24 The older fellows, such as I was, and two or three
25 others, he never really give us problems to as far as,

1 you know, how -- or getting loud or anything like that;
2 but some of the Inspectors I've heard him shout at.

3 Q Raise his voice?

4 A Oh, yes.

5 Q Was he verbally abusive towards Inspectors?

6 A Yes, he was.

7 Q Did he use profanity?

8 A I can't ever say that I ever heard him take God's name
9 in vein to a fellow, no.

10 Q How about other colorful language?

11 A Oh, yeah, yeah: "You little so and so," you know.

12 Q Did you ever observe Mr. Saklak interacting with Rick
13 Martin, for example?

14 A Yes. He give Rick a hard -- a hard way to go.

15 Q All right.

16 And in what way do you mean that?

17 A I mean, he was -- he was loud and boisterous and things
18 of that nature.

19 Q Was Mr. Martin provoking in his behavior? Was he loud
20 to Mr. Saklak in the first instance?

21 A No, he wasn't.

22 Rick is a very quiet-type person.

23 Q All right.

24 What, if anything, did you observe brought on Mr.
25 Saklak being abusive toward Mr. Martin?

1 A Nothing that I can recall.

2 Q All right.

3 Did Mr. Martin ever complain to you about Mr.
4 Saklak's conduct toward him?

5 A Well, no more than the other Inspectors.

6 Q What was the substance of complaints, if any, that you
7 got from Martin and the others?

8 A Well, usually, "He thinks he knows it all," or, you
9 know, "Who does he think he is," or something like that.

10 Q Did Mr. Saklak ever assign you to a special project, Mr.
11 Hunter?

12 A No more than working special projects.

13 Q And what sorts of special project did he assign you to?

14 A Well, I worked the pan detail up in the spreader room
15 for about four months. This was under his direction.

16 Not that he was a Weld Inspector, but he was having
17 the -- this was one of his projects that was going on at
18 the time --

19 Q All right.

20 A -- to see that everything was ready for the cable being
21 pulled through the pans.

22 Q All right.

23 Now, where is the location you are referring to?

24 A 463 Elevation.

25 Q Okay.

1 Is it -- physically where is it -- where is that
2 located?

3 A It's up in the top of the building.

4 Q All right.

5 Is that above the control room?

6 A Yes, it is.

7 Q All right.

8 And is this a place where all of the -- where
9 cables come in for the --

10 A Control --

11 q -- termination of the control room?

12 A That's true.

13 Q It requires you to climb a ladder to get up in there?

14 A Oh, yes.

15 Q Is it a congested location?

16 A Oh, yes, very congested.

17 The trays are very close together.

18 Q All right.

19 And is it the case that it was not a -- it was an
20 undesirable place to work for most Inspectors?

21 A Oh, yes. Warm, hot, whatever you want to call it.

22 Q Okay.

23 You are a relatively large man yourself, are you
24 not?

25 A Yes, I am.

1 Q Can you state what your weight is, for the record, and
2 your size?

3 A 230 pounds.

4 Q How tall are you, sir?

5 A 5 foot 8.

6 Q Why did Mr. Saklak assign you to the upper cable
7 spreading room, if you know?

8 A I never knowed, unless he just wanted to see a fat man
9 climb the ladder.

10 Q Did he seem to take some pleasure in assigning you to
11 climb a ladder?

12 A Well, you know, naturally he would laugh. You know, you
13 think -- you think, "So Hunter can make it through the
14 hole" --

15 Q Okay,

16 A -- things like that, you know.

17 Q I assume you did as you were instructed and worked
18 there?

19 A Oh, yes, I worked there.

20 Q Did you complain to him about that?

21 A Oh, no.

22 Q Why not?

23 A I figured somebody had to do the job.

24 Q All right.

25 Did you have occasion to work on a special project,

1 during the fall of 1984, along with an Inspector named
2 named Dean Peterson?

3 A Yes, I did.

4 Q And what was the nature of that special project?

5 A This was -- this was -- this was a pan detail --

6 Q Was this --

7 A -- reinspection of welds on pans.

8 Q Okay.

9 This was not the same project as was in the upper
10 cable spreading room, was it?

11 A Not necessarily, no.

12 Q Okay.

13 A It was just according to where -- wherever they had to
14 have reinspection on pans.

15 Q Okay.

16 And what was the nature of the reinspection, if you
17 know?

18 A Usually --

19 Q Why were you doing it?

20 A I don't think all the documentation could be found in
21 the vault on some of the welds on the Unistrut to the
22 pans.

23 Q Okay.

24 Is this -- do I understand correctly the cable pans
25 are horizontal galvanized material in which the cables

1 are run?

2 A That's true.

3 Q All right.

4 And they lay on a horizontal Unistrut member; is
5 that correct?

6 A Well, it could be Unistrut, tube steel or -- you know,
7 yes, usually -- usually Unistrut.

8 Q Are these the welds between the horizontal member and
9 the pan?

10 A That's true.

11 Q These were the subject of this special project?

12 A Right.

13 Q Now, who was supervising the special project, then, Mr.
14 Hunter?

15 A The Lead at that time?

16 Q Yes.

17 Can you recall who the Lead was?

18 A I want to say Mark Klatchko, but I wouldn't swear that
19 he was the Lead at the time.

20 Q How about:

21 Do you know a John Walters?

22 A Yes. John Walters was more of a -- yes, John Walters
23 was -- I guess was considered the Lead, but he is also
24 part of management.

25 Q All right.

1 So he was above the Lead, in effect?

2 A Today he is.

3 At the time I wouldn't swear whether John was above
4 the Lead or not.

5 Q Okay.

6 But was he involved in supervising the project?

7 A Yes, he was.

8 Q All right.

9 And was Mr. Ken Worthington involved in the
10 project?

11 A To what capacity, I couldn't tell you, but, yes.

12 Q Okay.

13 Now, I asked you whether you worked with Mr.
14 Peterson. You said you did.

15 Can you recall other Inspectors who worked with you
16 on this project?

17 A Well on this project?

18 Q Yes, on the project involving Walters and the cable
19 pans.

20 A I'm pretty sure that John Miner probably worked to a
21 certain extent. I don't know how much.

22 Q All right.

23 Now, there was a reinspection program, was there
24 not?

25 A This was another one of these reinspection programs.

1 Q All right.

2 In the course of this reinspection program, was it
3 required for you or for QC to have the welds to be
4 reinspected cleaned of paint by the craft?

5 A Well, there's two different -- there's two different
6 things there.

7 Mr. Irv DeWald at one time said, "Don't worry about
8 the" -- "the Galvanox. Just inspect the weld, make sure
9 there was no cracks, no undercut," stuff like that.

10 Q Okay. Let me ask you to stop there.

11 Now, what is Galvanox?

12 A That's a paint that they use, a protection coating.

13 Q Is it a primer, in effect?

14 A It's the same thing as a primer.

15 Q Is it a heavy, thick paint?

16 A Yes, it is pretty heavy.

17 Q What color does it appear?

18 A It's gray.

19 Q Okay.

20 Sprayed on the --

21 A Usually painted.

22 Q I'm sorry?

23 A Usually painted.

24 Q Painted with a brush?

25 A Usually with a brush.

1 Q Okay.

2 And is it painted after the weld is performed and
3 inspected?

4 A Oh, yes, yes.

5 Q Okay.

6 Now, again, I interrupted you.

7 DeWald at one time said, "Don't worry about the
8 Galvanox"?

9 A Right.

10 Q Did you understand that to mean don't remove the
11 Galvanox?

12 A Right.

13 Q You just inspect through it?

14 A Right.

15 Q All right.

16 A This only lasted for a few days, however.

17 Q All right.

18 Why was that?

19 A Too many of the Inspectors complained, "How could you
20 see a weld if you couldn't" -- you know, "a crack if the
21 paint covered it or something."

22 Q Okay.

23 A crack is a rejectable condition, I take it?

24 A Right, right; an NCR condition.

25 Q Was it your opinion, as well, that the Galvanox coating

1 might obscure a crack?

2 A Oh, yes.

3 Q How about any other rejectable conditions:

4 Are there others that a Galvanox coating might
5 obscure?

6 A Oh, it could; undercut, cold lap, anything.

7 Q Porosity?

8 A Oh, sure.

9 Q Did Mr. DeWald explain any basis for instructing the
10 Inspectors to not worry about the Galvanox?

11 A As far as I can remember, no.

12 Q Okay.

13 Inspectors complained, and he, in effect, rescinded
14 that direction?

15 A Yes, this is -- this is correct.

16 Q Now, then, after that brief period, it was required
17 that, in order for you to inspect these cable pan welds,
18 you had to get the craft to remove the paint?

19 A That's correct.

20 Q Now, was there paint, other than just the Galvanox, on
21 these components?

22 A The project that we was working on at that time, no.
23 There was just -- just the --

24 Q Okay.

25 A -- just the weld to attachment pan.

1 Q All right.

2 And those just were covered with galvanized?

3 A Yes.

4 Q Now, generally speaking, is there other paint applied to
5 the electrical installation aside from the Galvanox?

6 A Oh, yes, they have a brown paint that they use on
7 Unistrut -- I mean, on tube steel and -- and aux steel,
8 what they call aux steel.

9 Q Does that go over the Galvanox?

10 A No. There's no -- there is no Galvanox there at that
11 time.

12 Q All right.

13 So two different kinds of paint on different types
14 of electrical components?

15 A Right, that's true.

16 Q And both of them are added after the initial
17 installation and installation inspection --

18 A That's true.

19 Q -- generally speaking?

20 A Yes.

21 Q All right.

22 And in the course of a reinspection program, you
23 would encounter a weld or a component with welds on it
24 in a painted condition --

25 A Oh, yes.

1 Q -- unless the paint was removed?

2 A That's true to a great extent.

3 Q And in this cable pan walkdown program -- I'm sorry --
4 the cable pan inspection program -- reinspection
5 program -- did you need to have craft remove the paint
6 from the welds?

7 A Yes.

8 Q Now, do you recall Mr. Peterson ever bringing to your
9 attention problems that he encountered with respect to
10 painted welds?

11 A Oh, yes. Dean said that they wasn't doing a good enough
12 job taking the paint off. He couldn't tell what the toe
13 of the weld looked like; first one thing and another.

14 Q All right.

15 Now, this is a weld between a structural member --
16 at least a Unistrut and the cable pan; correct?

17 A Right.

18 Q All right.

19 The cable pan is a galvanized material?

20 A Right.

21 Q Now, does the existence of galvanizing have any effect
22 on the ability to detect undercut, for example?

23 A Oh, yes. Usually -- usually you have some heat
24 distortion at the -- at your toe of your weld, so you
25 don't know whether it's curled galvanized or actually

1 undercut.

2 Q Okay.

3 Now, by "curled galvanized," do I understand you
4 correctly, this would be in effect, a metallic or
5 chemical film on the metal that could curl under heat --

6 A That's true.

7 Q -- and could appear to be undercut?

8 A That's true.

9 Q All right.

10 But without removing it, you wouldn't know whether
11 it was, in fact, an undercut condition in the weld or
12 just this curled galvanized --

13 A That's true.

14 Q -- or paint?

15 A That's true.

16 Q All right.

17 What, in substance, did Mr. Peterson tell you about
18 the problems he was encountering?

19 A Well, he said he wasn't going to buy one unless it's
20 cleaned up, you know, where he could actually tell
21 whether it was undercut or just burnt galvanized.

22 Q All right.

23 Did you learn that Mr. Peterson brought this
24 complaint to his management's attention?

25 A Yes, I heard he did.

1 Q Okay.

2 And who did you hear he told that?

3 A Oh, I don't know. Among the group, you know.

4 We all sit together whenever we were filling out
5 your Form 19's.

6 Each -- each project usually sits -- sits in a
7 certain area in a certain group.

8 Q All right.

9 Did you understand that Mr. Peterson raised this
10 concern to either Mr. Walters or Mr. Worthington?

11 A Yes, I believe he did.

12 MR. GALLO: Objection, objection.

13 This is about the sixth or seventh leading question
14 in a row on this whole subject; and it's clearly new
15 material.

16 I think Counsel ought to be cautioned for the third
17 time to stop leading this witness.

18 MR. GUILD: Only by count for Applicant;
19 because it seems to me that the parties are not in
20 dispute, and I'm trying to expedite the project.

21 MR. GALLO: As far as I know, this is a brand
22 new area, and I've never heard heard of it before, and
23 it's never been the subject of any other witness in this
24 proceeding, and he's leading him unconscionably in this
25 regard, and I ask that he be cautioned against it.

1 JUDGE GROSSMAN: Is this in a deposition?

2 MR. GUILD: No, sir; but it was in live
3 testimony that Mr. Gallo apparently missed with respect
4 to Mr. Peterson.

5 JUDGE GROSSMAN: Well --

6 MR. GUILD: I don't believe it's a matter in
7 dispute.

8 JUDGE GROSSMAN: -- if we can't put our
9 finger on it, I think you are going to have to ask
10 neutral questions.

11 MR. GUILD: I'd be happy to.

12 JUDGE GROSSMAN: But I'll say to Mr. Gallo,
13 if there's no dispute about it, it goes faster with
14 leading questions.

15 That's a decision you have to make.

16 As far as we know --

17 MR. GALLO: I understand that general rule.

18 MR. GUILD: I believe, if Mr. Miller were
19 present, he would acknowledge that there, indeed, has
20 been testimony to this effect he certainly sat through.

21 JUDGE GROSSMAN: Well, I'm not going to put
22 Mr. Miller on the spot.

23 MR. GUILD: There he is right behind the
24 post.

25 MR. MILLER: If I might just have one second

1 to talk with Mr. Gallo.

2 MR. GALLO: Yes. I'm informed by my
3 colleague that this matter was, indeed, inquired into
4 with Mr. Peterson, and he was -- Mr. Peterson,
5 apparently, when he testified -- and I wasn't present
6 during Mr. Peterson's testimony -- had inquired -- had
7 been questioned on this whole area.

8 So clearly the leading objection may not be
9 appropriate.

10 But if my colleague is correct, and then apparently
11 Mr. Guild has the same memory, then the inquiry of this
12 witness is really not material.

13 The principal witness has already testified on the
14 point, apparently; and why are we replicating that
15 testimony through this witness on a hearsay basis?

16 MR. GUILD: I'd be happy to state without --
17 I'd just as soon not do it in front of the witness.

18 JUDGE GROSSMAN: I would assume it's
19 corroboration, and I would assume that you are not
20 accepting Mr. Peterson's testimony as conclusive, and so
21 he's entitled to do that --

22 MR. GALLO: Well --

23 JUDGE GROSSMAN: -- unless you want to
24 stipulate that everything is so, and I don't think we
25 ought to waste time doing it; and I think the easiest

1 way to do it is the way Mr. Guild is doing it now, until
2 we come to a part that you think is actually disputed,
3 and then we can insist that he ask neutral questions;
4 but, otherwise, it would just take a lot of unnecessary
5 time.

6 So why don't we just continue now --

7 MR. GALLO: You may be correct.

8 JUDGE GROSSMAN: -- the way we're going until
9 there is a specific area that you believe is disputed,
10 Mr. Gallo, and then we'll hold Mr. Guild to neutral
11 questions.

12 MR. GALLO: Well, I would only observe, in
13 answer to your point, Judge Grossman, of course, now I
14 will have to conduct questioning into this area to
15 demonstrate the depth of the witness' or the lack of
16 this witness', if that is the case, personal knowledge
17 on the subject.

18 This is the delay factor that he has incurred in
19 this whole business.

20 JUDGE GROSSMAN: Well, there's no alternative
21 to that.

22 He's certainly entitled to corroborate the other
23 witness' testimony, if there are matters that aren't
24 stipulated to, and so we'll just have to do it; but we
25 don't want to slow it any more than is necessary.

1 Continue, Mr. Guild.

2 JUDGE CALLIHAN: Excuse me, Mr. Guild.

3 MR. GUILD: Yes, sir, sure, Judge.

4 JUDGE CALLIHAN: Let me clarify something.

5 BOARD EXAMINATION

6 BY JUDGE CALLIHAN:

7 Q Mr. Hunter, you have used the word "galvanized" on
8 several occasions recently.

9 To me, galvanized is a zinc coating on sheet steel.

10 A That's true.

11 Q Did you use the word "galvanized" in connection with a
12 quote, "paint," unquote, in your testimony in the last
13 10 or 15 minutes?

14 A Did I do what, sir?

15 Q Use the word "galvanized" to describe what you put on
16 with a brush as you state?

17 A I believe it was Galvanox. That was a brand name,
18 Galvanox. That was a brand name.

19 Q I'm sorry. Thank you very much.

20 What is that, anyhow?

21 A It's just a -- I don't know what base it is, but it's --
22 but it's a coating that they use to protect welds on
23 galvanized.

24 In other words, it's something that will not let it
25 rust through or something like that like ordinary paint

1 would.

2 JUDGE CALLIHAN: Thank you very much for the
3 clarification.

4 I'm sorry to interrupt.

5 MR. GUILD: That's fine, Judge.

6 DIRECT EXAMINATION

7 (Continued.)

8 BY MR. GUILD:

9 Q At the time that you and Mr. Peterson and the others
10 were performing this special project on the cable pan
11 welds, were you required to turn in daily status reports
12 of the numbers and identities of the inspections that
13 you performed?

14 A Oh, yes, yes, everybody had to write the Form 19's on
15 all their inspections.

16 It doesn't matter whether it was 2 welds on a
17 hanger or whether it was 24 or 40 or whatever it was,
18 how many -- how many pans across the hanger.

19 Q These status reports listing the installations that were
20 the subject of inspections, they got turned into the
21 management or supervision, did they not?

22 A Turned into the vault.

23 MR. GALLO: Objection, objection; the form of
24 the question.

25 It is not my understanding that the status report

1 and the Form 19 is the same thing.

2 JUDGE GROSSMAN: Yes. Mr. Guild, please ask
3 neutral questions where it's called for.

4 MR. GUILD: If I misspoke, I apologize.

5 BY MR. GUILD:

6 Q I meant to say the status reports listing the
7 installations that had been inspected, not the Form
8 19's, those status reports were turned into supervision,
9 were they not?

10 A That's true.

11 MR. GUILD: All right.

12 Is there a dispute about that?

13 JUDGE GROSSMAN: The objection wasn't to
14 saying they were turned into supervision, but the wrong
15 form.

16 MR. GALLO: Well, I don't know what this
17 witness' testimony on this point is.

18 They've been using different terms.

19 The witness testified as the Form 19's being
20 furnished in this answer to Mr. Guild's questioning
21 using status reports.

22 I don't know what the status of the record is.

23 I guess I'll have to wait my turn to clarify it.

24 MR. GUILD: I don't think it's certainly a
25 material point and I don't mean to confuse the record.

1 BY MR. GUILD:

2 Q You turned in your Form 19's to your supervision at the
3 end of a day, did you not?

4 A That's true.

5 Q Okay.

6 And didn't you compile a list of the components
7 that were reflected on those Form 19's?

8 A Yes, we did.

9 Q Okay.

10 That's a status report?

11 A That was part of the status report; right.

12 Q And that list was turned in along with the Form 19's;
13 correct?

14 A Yes.

15 Q Okay.

16 Now, did it ever come to your attention, in
17 connection with this project, that any of the Inspectors
18 were ever criticized or cautioned by their supervision
19 because of not turning in enough inspections in their
20 daily statuses?

21 A Well, let's put it this way:

22 The little weekly meetings we would have at the
23 time, Mr. Irv DeWald would stress that we had to get
24 more done in order to finish the project at a certain
25 time.

1 As far as him coming right out and saying, "Let's
2 do so many welds," I don't think I ever heard Irv tell
3 anyone they had to do so many welds.

4 Q All right.

5 I take it no one ever criticized you for your low
6 production level, low number of inspections per day, for
7 example?

8 A No, I don't think so.

9 Q All right.

10 And do you have any understanding of how your
11 productivity compared to others in terms of inspections
12 per day?

13 A Yes. I'm sure I was one of the top -- as far as units
14 inspected, I'm pretty sure I was the top one during the
15 time I worked for them.

16 Q In terms of number of weld inspections per day?

17 A In terms of units inspected; right.

18 Q All right.

19 And can you give me an approximation on the
20 average, over a long period of time, how many weld
21 inspections you turned in a day, Mr. Hunter?

22 A Well, I would say that I probably averaged better than
23 five units -- that's five hangers -- per day.

24 Q Okay.

25 Would you do more than 10 on occasion?

1 A Oh, I have, yes.

2 Q All right.

3 Now, did it ever come to your attention -- I'm
4 talking now about this special project in the fall of
5 '84 on the cable pan hangers --

6 A Right.

7 Q -- that any of the other Inspectors who worked with you
8 were criticized for the low level of production that
9 they were turning in in a day?

10 A Yes.

11 Q And can you identify any particular Inspector who
12 brought such a criticism to your attention?

13 A Well, like I say, Mr. Peterson was one that they told
14 him he wasn't getting enough done.

15 Q All right.

16 A That's -- I mean, that was the rumor that I heard.

17 Mr. DeWald never did come out and say that in front
18 of the group as a whole or anything.

19 Q Well, did you understand that from Mr. Peterson?

20 A I understood that from Mr. Peterson.

21 Q All right.

22 And did Mr. Peterson, in that connection, mention
23 the problems he was encountering with the welds in a
24 painted condition?

25 A Yes. That's when he said that he wanted -- that's when

1 he told me he wanted the welds cleaned up to where he
2 could actually visually inspect it.

3 Q All right.

4 And was Mr. Peterson, to your knowledge,
5 subsequently transferred off that special project?

6 A Well, he didn't last too long on it, yes.

7 Q Okay.

8 Did you have occasion to work on a project
9 involving the review of documents in or near the vault,
10 Mr. Hunter?

11 A Yes, I did.

12 Q All right.

13 And can you describe generally what that project
14 was?

15 A This was -- one of the audits that they said that had to
16 catch up on the last one was the AVO project.

17 Q Before the AVO project, did you happen to work on
18 document -- any document work involving documents in or
19 near the vault?

20 A In or near the vault?

21 Q Yes.

22 A Yes. These was usually on a reinspection program.

23 Q Do you recall any instances where Mr. Saklak gave
24 instructions to persons involved in such a document
25 review project?

1 A No more so than, "We have to" -- "We have to get this
2 completed or else we won't be on the job," or something
3 like that.

4 Q Do you recall any instances in which Mr. Saklak engaged
5 in the practice, that you referred to, as "shopping
6 around" among Inspectors?

7 A Yes. If someone had a document that they couldn't buy,
8 because they hadn't done the research or something like
9 that, Mr. Saklak might take it away from them and give
10 it to some other Inspector to see if he could buy it.
11 That happened quite a bit.

12 Q Is that, in effect, the practice of shopping around?

13 A I would say that's what we call shopping around.

14 Q All right.

15 Does that mean, in essence, looking for an
16 Inspector, in turn, one after another, who will agree to
17 buy off or sign off a document?

18 A Well, maybe -- maybe one Inspector might have already
19 done the research or something like that, so, actually,
20 it's not saying that Mr. Saklak was trying to get
21 someone to buy something that actually hadn't been done,
22 but he was trying to get someone to sign it, where at
23 least the vault would have it in the vault, saying that
24 it had been done.

25 Q All right.

1 But it would be an instance where the first person
2 Mr. Saklak tried, for one reason or another, would not
3 sign the document?

4 A That's true.

5 Q And he would try others who finally would sign it?

6 A Right.

7 Q Did you have occasion to work in or near the vault in a
8 project where Mr. Terry Gorman was performing inspection
9 work?

10 A Yes.

11 Terry and I come on the job the same day. Terry
12 worked the vault for approximately, I would say, 20
13 months while I was there.

14 Q All right.

15 And did you happen, on occasion, to observe an
16 instance where Mr. Bowers, the vault supervisor, was
17 instructing Mr. Gorman to sign off a document?

18 A Yes. This was part of the AVO program.

19 Q All right.

20 And can you tell us approximately when this
21 occurred?

22 A When this took place?

23 Q Yes.

24 A I would say some time prior to the first of 1986.

25 Q Okay.

1 Late '85?

2 A I would late '85.

3 Q All right.

4 And what were the circumstances that you observed
5 involving Mr. Bowers and Mr. Gorman?

6 A I believe Mr. Gorman -- at that time Mr. Gorman was
7 upstairs working in our group or the AVO group, and he
8 brought a document up and said, "Mr. Gorman, this has
9 been done," and, of course, Terry asked him, "Well, when
10 and who" -- "and who did it," and one thing led to
11 another, and he wanted Mr. Gorman to put his name on it,
12 and Mr. Gorman said, "Not until I research it"; and Mr.
13 Gorman actually did take about two hours and researched
14 the drawing.

15 I'm pretty sure it was just a drawing rev.

16 Q Was it your understanding that Mr. Bowers wanted him to
17 sign it off?

18 A Yes; because he said he had already taken care of it.

19 Q All right.

20 He wanted Mr. -- he wanted Mr. Gorman to simply
21 rely on Bowers' assurance that it had been taken care
22 of --

23 A Right.

24 Q -- without Gorman himself doing the research first?

25 A Right.

1 Q Did you observe any other instances of Mr. Bowers trying
2 to get Inspectors to sign off documents?

3 A Well, Mr. Bowers come there approximately a
4 year-and-a-half ago. He come into a situation where
5 there was a lot of things that I'm sure that he felt
6 should be brought up-to-date, so, naturally, he assigned
7 a lot of people to review documents -- in fact, he had a
8 document review crew there -- and there was a lot of
9 things that was missing, and, naturally, when the
10 document review crew would bring it to an Inspector, the
11 Inspector didn't want to correct it right then. He
12 wanted to do some research, especially on drawing revs.

13 This was pretty well what it was.

14 Q Reinvestigations to Sargent & Lundy drawings?

15 A Yes.

16 Q What sort of research involving those revisions?

17 A Well, usually you had to go and check the print at the
18 time the inspection was made and make sure that there
19 was no changes between the time the inspection was made
20 and the time it was accepted.

21 Q And this was for an old inspection; is that right?

22 A Usually -- usually they was for old inspections.

23 Q All right.

24 It would require the Inspector doing research to go
25 back to the drawing that was the current revision at the

1 time the original inspection was done?

2 A At the time the original hanger was installed or
3 whatever was done; right.

4 Q All right.

5 And that's what took research time?

6 A That's what took research time.

7 Q You were involved in a program that you referred to
8 as -- a special program you referred to as the AVO
9 program.

10 Can you describe what that was, please?

11 A I am not for sure when the AVO program was started, but
12 I believe it ended some time in '83.

13 It was a -- you might say a speed memo from the
14 field telling the engineers -- or telling Sargent &
15 Lundy what had to be done to hurry up.

16 If a hanger had been installed and they needed to
17 run a pipe through it with a hanger, maybe move it three
18 inches, five inches, whatever it was, they -- the field
19 engineer or the field superintendent, he wrote back that
20 the hanger had to be moved three, five inches, whatever
21 it was, take care of the obstacle that was coming
22 through that area.

23 So, actually, they were just -- they were just
24 field directives. In other words, they was just like an
25 engineer sitting out in the field and saying, "We can't

1 do this. We have to do so and so. " He would write the
2 AVO --

3 Q All right.

4 A -- and -- yes, and it would be taken care of that way.

5 Q All right.

6 Now, I take it an AVO, in fact, could reflect an
7 actual change in the design or specification of an
8 installation?

9 A No, I don't think so; not in -- not in -- not -- in the
10 specs I don't think it could.

11 It could maybe change the design, but not the
12 specs.

13 Q Okay.

14 But design in the sense of moving something a
15 couple of inches, let's say?

16 A That's true.

17 Q All right.

18 And that would be a change in the specification,
19 would it not?

20 A Well, it would be a change in configuration. I wouldn't
21 say in specifications, I'd say in config.

22 (Indicating.)

23 Q All right, all right.

24 But a change in the standards to which a particular
25 piece of installation would be installed and inspected;

1 three inches left as opposed to the original
2 configuration, say?

3 A Right.

4 Q Okay.

5 These were not Engineering Change Notices, were
6 they?

7 A No, this wasn't considered an Engineering Change Notice.

8 Q All right.

9 They weren't --

10 A I believe -- I believe the construction area
11 superintendent issued these, if I'm not mistaken.

12 Q All right.

13 Were these issued by Sargent & Lundy?

14 A No, no. These was from craft.

15 Q Issued in the field by the craft?

16 A Right.

17 Q All right, sir.

18 And I take it these were not control documents that
19 were specified as a part of the Comstock QA program or
20 procedures at the time?

21 A No, it wasn't.

22 Q All right.

23 And was the AVO program that you were assigned to
24 work in to deal with the use of these uncontrolled
25 documents?

1 A Well, yes, they were trying to bring them up and see if
2 they could find this document in the -- in the vault
3 that related to the AVO numbers and to whatever had been
4 done.

5 Q Okay.

6 Now, would you explain generally how the program --
7 the AVO program -- corrective action program -- now that
8 you were involved in, how it worked? What exactly were
9 you to do?

10 A Well, this program lasted, while I was there,
11 approximately seven months. It changed probably a dozen
12 times from the time -- from the time I got there.

13 At one time, Irv DeWald says, "We don't have to
14 worry about no AVO's," and then they come along and run
15 an audit, and they found out that they had to -- to
16 justify the AVO's, so some of these AVO's actually had
17 inspections which would be current, which -- I mean,
18 which they considered current, I believe it was, after a
19 certain day in '82 -- anything that's been done after a
20 certain date in '82, that was considered current.
21 Anything before that, you had to make sure that the
22 document was in the vault and had been inspected and
23 bought off after the AVO was written.

24 Q All right.

25 So let me see if I'm clear:

1 The AVO's ceased being used, the Avoid Verbal Order
2 memo --

3 A I believe so.

4 Q -- ceased being used, some time in 1982?

5 A In '83, I believe; the last one I can recall.

6 Q All right, 1983.

7 Then you, in essence, were to determine whether or
8 not the final inspection for the component took into
9 account the directive on the AVO --

10 A That's true.

11 Q -- for that component?

12 A That's true.

13 Q All right.

14 If there was an inspection that postdated the date
15 of the AVO program's termination, the date of -- the
16 1983 date, then you would determine -- or consider that
17 the component was acceptable; is that true?

18 A The question again?

19 Q Okay.

20 You looked for -- you do document research. You
21 take an AVO for a particular component, you look at the
22 inspection documentation for that same component, and
23 determine that the inspection documents came after the
24 AVO ceased being used.

25 If you found thereafter a valid inspection document

1 that postdated the AVO, then the component was
2 acceptable?

3 A That's true.

4 Q And it was a matter of matching up the AVO with a
5 document package for the particular component?

6 A That's true.

7 Q Did you start with the AVO as the first step in this
8 program?

9 A Usually others -- usually they give you an AVO number
10 and a hanger number; and the engineer, I believe -- I
11 can't recall -- I believe it was Mr. Chapman -- I'm not
12 for sure -- anyway, he had did this research two or
13 three months before we started the program, and he went
14 to the vault -- he was supposed to, at least -- and
15 checked the valid inspection forms.

16 Okay. If he found one that wasn't valid, he turned
17 it over to Comstock or -- and Comstock issued it to the
18 group that we was working in -- there was about seven of
19 us -- and we went from there.

20 We -- we collected -- we collected the drawings --
21 this is before the new rev, Rev A-Rev O come out --
22 approximately 30 days, 60 days that we started the
23 program, and then the new Rev A and Rev O come out, and
24 we inspected to -- just to the drawing, whatever the
25 walkdown had been.

1 They had a walkdown on a lot of this stuff,
2 approximately a year before the program was started, to
3 see the -- see that they were there.

4 In other words, a lot of these other hangers, a lot
5 of this other stuff, had been cut down, been deleted.
6 Some of it had been completely done away it and all
7 that.

8 Q All right.

9 A What they were -- what they were actually looking for
10 was documents to see what they had in the plant is what
11 it was.

12 Q Okay.

13 Now, you did this program, the AVO program, up
14 until you were terminated; is that right?

15 A That's right.

16 Q And that who have been in March of 1986 --

17 A That's correct.

18 Q -- correct?

19 And so you had been working on this program for
20 seven months up until that point?

21 A Approximately seven months; right.

22 Q All right, sir.

23 Later '85, then, into '86, I take it from what you
24 said, that you were given a paper -- a stack of paper,
25 including the AVO, and were assigned to determine

1 whether or not you could track the document package and
2 establish that the component was final inspected?

3 A That's true.

4 Q All right.

5 Now, what were you to do in the instances where you
6 couldn't determine that the component was final
7 inspected?

8 A Reinspect it.

9 Q All right.

10 Now, in some cases, you found inspection documents
11 for these components, but they were not complete; is
12 that true?

13 A That's true.

14 Q And in those cases, you would have to perform some sort
15 of reinspection as well, would you not?

16 A That's true.

17 Q Now, what would you do with the -- by way of the
18 reinspection of these components?

19 A Well, when we first started, if it just called for a
20 hanger and you went to inspect -- to the field, you
21 inspected just the hanger; and then whenever the new Rev
22 A-Rev O drawings come out, Sargent Lundy, you inspected
23 to whatever the drawing was.

24 In other words, what I'm saying is when the program
25 was first started, the hanger might have a hanger, it

1 might have braces.

2 If it didn't call for the braces, the 500 number,
3 you didn't worry about the braces. You just looked at
4 the hanger. They were in the vault that way.

5 After the Rev A-Rev O's come out, whatever is on
6 the drawing is what you looked at.

7 Q All right. Let me be clear now.

8 In some instances they had done a final -- a
9 walkdown --

10 A Right.

11 Q -- and had produced this Rev A-Rev O drawing?

12 A Yes.

13 Q And the Rev A-Rev O drawing reflecting the actual
14 as-built components in the field?

15 A That is correct.

16 Q All right.

17 And in some instances, the actual as-built
18 component, in the case of a hanger, had a brace on it?

19 A Oh, yes.

20 Q And if you were inspecting per the AVO program to the
21 Rev A or Rev O drawing, and it showed a brace, you
22 inspected that brace?

23 A That's true.

24 Q All right.

25 But if you didn't inspect the Rev A-Rev O drawing

1 and just used the non-walkdown package, even if there
2 was a brace, you didn't inspect the brace?

3 A True.

4 Q You just inspected the hanger?

5 A That's right.

6 Q All right.

7 Who performed this AVO program along with you?

8 A Oh, at one time, there was probably seven or eight of us
9 in the same program.

10 One of them was Anderson; one of them was named
11 Hudson; a boy by the name of Asmussen; a boy by the --

12 Q Is that Mr. Asmussen?

13 A Yes.

14 Q Danny Asmussen?

15 A Yes.

16 Q All right.

17 A A boy by the name of Tom -- Tom -- the last name -- he
18 was sitting right next to me and I can't think of his
19 last name. He was a Russian boy.

20 Mr. Gorman was in the program for awhile.

21 Q Gorman?

22 A Yes.

23 Q Terry Gorman?

24 A Terry Gorman was in.

25 A Val -- Valerie -- the young lady, I can't

1 think -- she was in for awhile.

2 There was another young lady in the program for a
3 small -- for awhile.

4 In other words, there was probably -- altogether
5 there was probably eight or ten, maybe even twelve,
6 people in that program at one time while I was there.

7 Q All right.

8 And was there a Mr. Arndt in the program as well?

9 A Who?

10 Q Arndt.

11 A Yes, Arndt was in that program for a few days.

12 Q Okay.

13 And he was terminated along with you?

14 A Right.

15 Q Now, these hangers that you went to look at, I take it
16 that they had all been --- many of them had been
17 previously inspected; is that true?

18 A Oh, yes, yes, that's true.

19 Q Could you tell that they had been previously inspected
20 by the existence of Weld Inspector stamps on the
21 components?

22 A Yes, there was a good many of them that maybe had two or
23 three different Inspectors' stamps on them.

24 Q And by each weld, for a hanger that had been previously
25 inspected, you would find one or more QC Inspector

1 stamps by it?

2 A A good many times, yes.

3 Q All right.

4 Now, some of these hangers were fabricated by
5 non-Comstock vendors, were they not?

6 A That's true.

7 Q All right.

8 And in the situation where it was a vendor-supplied
9 hanger, do I understand correctly that Comstock would
10 simply inspect the attachment welds attaching the hanger
11 to whatever mounting component there was?

12 A Yes; just -- just -- just strictly the field attachment;
13 right.

14 Q For example, if the hanger was to be mounted to an
15 overhead horizontal beam, a structural member, there
16 would be welds of the two vertical components of the
17 hanger?

18 A Yes.

19 MR. GALLO: Objection.

20 By God, I beat the witness' answer.

21 I'd like to excuse the witness.

22 JUDGE GROSSMAN: Oh, okay.

23 Could you step out in the hallway for a few
24 minutes.

25 (Witness excused.)

1 MR. GALLO: My objection, again, Judge
2 Grossman, is leading.

3 The questioning is leading; and we are, indeed, in
4 the area involving Mr. Hunter's termination --

5 JUDGE GROSSMAN: Oh, okay.

6 MR. GALLO: -- and I think the last
7 half-a-dozen questions about the various activities that
8 Mr. Hunter was involved in was all based on leading
9 questions.

10 MR. GUILD: Well, you know, Mr. Chairman --

11 JUDGE GROSSMAN: Well, was there anything
12 controversial about what the job requirements were or
13 what he was required to do?

14 MR. GALLO: Well, I'm not prepared to parse it
15 in that fashion.

16 I think that, as some point, controversy or
17 non-controversy has to reach its outer limit.

18 We're clearly in a new area involved in the
19 contention, and I think the excuse of trying to save
20 time no longer pertains.

21 JUDGE GROSSMAN: Oh, okay.

22 If that's the judgment, let's not lead him, Mr.
23 Guild. Let's just ask neutral questions and have him
24 explain it all.

25 MR. GUILD: All right. I'll be happy to do

1 that, Mr. Chairman.

2 I really was just trying to save time.

3 I can't imagine there's any controversy that you
4 attach to a vendor hanger with attachment welds.

5 But be that as it may, Mr. Chairman, I'd be happy
6 to abide by the Board's directive.

7 JUDGE GROSSMAN: On the last question, I
8 can't believe there's any controversy, too, unless there
9 aren't two verticals or whatever the question stated;
10 but I think you are just trying to alert us to this
11 area.

12 MR. GALLO: Yes.

13 JUDGE GROSSMAN: And, fine, let's keep that
14 in mind, Mr. Guild.

15 MR. GUILD: I'd be happy to, Mr. Chairman.

16 BY MR. GUILD:

17 Q Mr. Hunter, I'm going to have to ask you to tell me in
18 your own words how these hangers are fabricated.

19 A Okay. At one time -- at one time Commonwealth Edison
20 used a lot of vendor suppliers. In other words, the
21 hanger was built outside the power plant site, was
22 bought off site.

23 Today, they don't use too many vendor suppliers as
24 far as hangers or things like that, but they build a lot
25 of them over in the fab shop, and they call them fab

1 shop hangers.

2 Okay. Maybe the only weld that's built in
3 the -- that's done in the job site or in the plant is
4 just the connection welds.

5 There is a few hangers still built -- being built
6 in the -- in the plant, as far as that goes, on fab
7 tables, you know, or in certain areas.

8 (Indicating.)

9 Q What's a connection weld?

10 A A connection weld is a weld that puts a unit to the
11 structural steel or to the aux steel or wherever the
12 hanger is going to be attached from.

13 Attachment welds we should be calling them instead
14 of connection welds.

15 Q All right.

16 Can you describe a typical attachment weld as you
17 just used the term?

18 Let's take a horizontal beam and a hanger that you
19 are going to suspend from a horizontal beam.

20 A Okay. It could be -- it could be done several ways.

21 It could be attached directly to the beam or to
22 what's called to a LV plate.

23 Q Say again.

24 A It could be attached with a DV plate.

25 Q D as in dog, V as in Victor?

1 A D as in dog and V as in Victor.

2 Q What does that stands for?

3 A The term DV -- I'm not for sure --

4 Q Okay.

5 A -- but it is -- it is -- it is -- let me think a little
6 bit.

7 Anyway, it's just the unit they put between the
8 hanger or the unit that they are hanging and the column
9 or to the aux steel. They use them on both.

10 (Indicating.)

11 Q All right, sir.

12 In any event, do I understand correctly that these
13 attachment welds are the welds that are actually
14 performed in the field?

15 A That's true, that's true.

16 Q The hanger --

17 A That is the two welds or four welds or how many is
18 actually made in the field; right.

19 Q Okay.

20 That's in the case -- let me finish my question now
21 so you make sure you are answering the question I'm
22 trying to ask.

23 In the case where the hanger is either fabbed up in
24 the fab shop or is a vendor-supplied hanger -- in those
25 two cases, the only field welds would be the attachment

1 welds to the mounting member; in this case, of the
2 example, the horizontal beam?

3 A That's correct.

4 Q Okay.

5 Now, do I understand correctly that if it's a
6 vendor-supplied hanger, whether the hanger is supplied
7 to Edison or Comstock, it's the vendor's responsibility
8 to perform the QC weld inspections on the fabrication
9 welds for that hanger?

10 A That's true.

11 Q These would be the welds that hold the -- say the H
12 hanger, the horizontal member, to the two vertical
13 members?

14 A Usually that is correct.

15 Q And if it's a fab shop fabricated hanger, fabricated in
16 Comstock's fab shop, it would be the responsibility of a
17 QC Inspector in the fab shop to QC inspect the
18 fabrication weld for that hanger?

19 A That is true.

20 Q In both those cases, it would be the field QC
21 Inspector's responsibility to inspect only the
22 attachment welds?

23 A Usually that is correct.

24 Q All right.

25 Now, if you got a vendor-supplied hanger and it was

1 installed in the field by Comstock craft, before it was
2 installed by the craft, would the hanger be painted at
3 all?

4 A Usually it was painted before they come to the jobsite.

5 Q And what was it painted with when it came to the
6 jobsite?

7 A If it was galvanized, it was Galvanox. If it was
8 structural steel, it was painted brown.

9 Q Okay.

10 And do I understand -- well, and what would the
11 condition of the field welds be, the attachment welds
12 be, when the initial QC inspection was to be performed
13 on the installation of the hanger?

14 A What was the condition of what now?

15 Q Of the field weld, the attachment weld.

16 A The attachment weld should be left unpainted till the QC
17 fellow does his inspection, and then they can paint it.

18 Q Okay.

19 That's the way the system is supposed to work?

20 A That's the way the system is supposed to work.

21 Q Okay.

22 Now, in the AVO program, you were inspecting
23 components that had, in many cases, been previously
24 final QC inspected; correct?

25 A Oh, yes.

1 Q And so do I understand that, consistent with your last
2 answer, those attachment welds themselves would also be
3 painted --

4 A Oh, yes.

5 Q -- if the program was working the way it was supposed to
6 work?

7 A Right.

8 Q All right.

9 Now, when you were sent out to do these AVO
10 inspections of hangers that happened to be the subject
11 of an Avoid Verbal Order non-control document, what were
12 your instructions during the course of this program,
13 this seven months, with respect to documenting the
14 condition of the vendor weld on hangers?

15 A We did not look at a vendor weld. It didn't matter
16 whether it was painted, whether it was rusty or what,
17 you still didn't look at a vendor weld.

18 They had already been bought off before they come
19 to the jobsite.

20 Q All right.

21 What are your instructions with respect to
22 documenting the existence or number of vendor welds on
23 the Form 19 checklist that you were using to perform
24 your AVO reinspection?

25 A Okay. That changed two or three different times.

1 I wouldn't say that it all changed during the AVO
2 program, but that changed two or three different times.

3 At one time we didn't worry about any vendor welds.
4 You didn't even count them. Like they didn't even
5 exist.

6 You only counted the welds that Comstock welders
7 made. In other words, the welds that the Comstock
8 welders put in --

9 Q Made in the field?

10 A -- in the field or in the fab shop or whenever it was
11 at.

12 Q Let's say you were inspecting the field installation of
13 a hanger under the instruction that you are describing
14 now, and let's assume that there are 4 attachment welds
15 on that hanger and 20 vendor welds.

16 How many welds would you list on the Form 19 under
17 that instruction?

18 A Well, the last year or so, we would list 24; but you
19 should also note, in the -- in the remarks section, how
20 many was actually vendor welds.

21 Q All right.

22 Now, is that pursuant to a Comstock procedure?

23 A As far as I know, yes.

24 Q Well, I mean, is there a written procedure of Comstock
25 that says, "List vendor welds, list attachment welds,

1 put them in the remarks section"?

2 A The last procedure, I couldn't tell you whether it
3 specified that you put the vendor welds in the remarks
4 section of the Form 19 or not. I couldn't say.

5 JUDGE GROSSMAN: Excuse me.

6 MR. GUILD: All right, sir.

7 BOARD EXAMINATION

8 BY JUDGE GROSSMAN:

9 Q I believe you answered that at one time you ignored
10 vendor welds?

11 A That's true.

12 Q I thought Mr. Guild asked you the question as to what
13 you did in that circumstance with regard to 20 vendor
14 welds and 4 attachment welds, and then you went on to
15 what you did later,

16 But with regard to the initial period in which you
17 didn't concern yourself with vendor welds, you would
18 only count 4 attachment welds; is that correct?

19 A You would count 4 field welds as would be listed on your
20 Form 19, 4 field welds.

21 Q You wouldn't list anything with regard to the vendor
22 welds?

23 A At one time, we didn't list nothing, just like it wasn't
24 there.

25 JUDGE GROSSMAN: Okay, fine. Okay.

DIRECT EXAMINATION

(Continued.)

BY MR. GUILD:

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4 Q All right.

5 Now, at a later time, as you just testified, you
6 would list both the field and the vendor welds --

7 A That's true.

8 Q -- in the portion of the Form 19 where it says "total
9 welds"?

10 A Right.

11 Q Okay.

12 But am I correct in understanding your testimony
13 that at that later time, you may only inspect the
14 attachment welds, but you would list all of the welds on
15 the Form 19?

16 A You would list all welds, whether they were attachment
17 welds, vendor welds, fab shop welds or what.

18 You had to put this number -- the total number of
19 welds on the hanger.

20 Q Even if the total number of welds in that case would not
21 reflect the total number of welds you inspected --

22 A That's true.

23 Q -- necessarily?

24 A That's true.

25 Q Simply the total number of welds on the component --

1 A Right.

2 Q -- vendor, fab shop and attachment?

3 A Right.

4 Q All right.

5 Were there any other kind of welds besides those
6 three?

7 A No, not on that jobsite.

8 Q Okay.

9 When the changes were made to the AVO program, most
10 particularly with respect to documentation of weld
11 inspections, were these changes made orally or were they
12 made in a change to the Comstock procedures?

13 A Well, both.

14 I'm pretty sure that some days we would come in,
15 you know, and some of the Inspectors would say, "We
16 can't do it this way, we can't do it that way," and they
17 would get together with management, you know, and they
18 would come back -- or get with the Lead, you know, and
19 come back and maybe the Lead would say, "Let's" --
20 "Let's do it this way until we find out."

21 In other words, it was a constant changing
22 procedure there for about the first 90, 120 days. I
23 mean, you didn't know what -- how you was going to do it
24 from the -- from one day to the next.

25 In fact, if I was not mistaken, there was no

1 procedure written before the AVO program started.

2 MR. GUILD: Mr. Chairman --

3 JUDGE GROSSMAN: Excuse me.

4 I'm not sure you tied it down.

5 We had two different systems mentioned.

6 BOARD EXAMINATION

7 BY JUDGE GROSSMAN:

8 Q Was that all?

9 In no case did you ever inspect fab shop or vendor
10 welds; is that correct?

11 A There was -- there was a memo -- or it was in the
12 procedures that -- that the vendor welds wasn't the
13 responsibility of Comstock engineers.

14 Q Okay.

15 So in no case -- there were only two situations
16 that you had there.

17 One was where you counted all the welds and the
18 other was initially where you counted only field welds;
19 is that it?

20 A That is correct.

21 Q Oh, okay.

22 And that covers the waterfront? There was no
23 other system?

24 A No other system that I know of.

25 JUDGE GROSSMAN: Okay, fine.

DIRECT EXAMINATION

(Continued.)

BY MR. GUILD:

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4 Q Now, the record will reflect that you were identified as
5 a witness -- prospective witness in this proceeding, Mr.
6 Hunter, in February of 1986.

7 That's not a question. That's just a statement.
8 You were.

9 And your deposition was taken in this case on two
10 dates.

11 Do you recall your deposition being taken?

12 A Yes.

13 MR. GUILD: All right.

14 Mr. Chairman, I submit that the witness' deposition
15 was taken January 28, 1986, at Braidwood Station -- it
16 was a partial deposition -- and it was completed on
17 February 25, 1986.

18 Now, Mr. Chairman, I'd ask that -- I want to
19 establish only that the witness' deposition was taken in
20 the proceeding and he's so testified, and then I want to
21 simply ask that the Board take notice of the existence
22 and content of Mr. Hunter's deposition by way of the
23 transcript of that deposition.

24 Now, I don't propose to submit this deposition
25 transcript as an exhibit in evidence. I don't intend to

1 demonstrate or prove the substance of the matters that
2 he's testified to in that deposition.

3 He has responded to questions live from the witness
4 stand appropriately.

5 But since the fact of his testimony in deposition
6 and the substance of his testimony in deposition has an
7 asserted bearing on his termination from employment, I
8 would ask that the Board take notice of that deposition
9 and of its content.

10 I can mark it as an exhibit. I don't propose to
11 offer it in evidence; but I would formally request that
12 the Board take notice of Mr. Hunter's deposition.

13 I would ask Counsel to stipulate --

14 JUDGE GROSSMAN: Okay. If I understand
15 correctly, Mr. Guild is asking that we just take
16 notice -- that we take official notice of the fact that
17 he testified to certain things on the deposition, but
18 not to establish the truth of what he testified to in
19 the deposition, but only that he said these things.

20 I assume Mr. Guild's going to tie that in with the
21 subsequent termination.

22 Is that correct, Mr. Guild?

23 MR. GUILD: Yes, sir, that's my intention.

24 JUDGE GROSSMAN: Do you have any objection to
25 that, Mr. Gallo?

1 MR. GALLO: Well, I have no objection to
2 taking notice of whether the deposition has occurred.

3 I take it that if Mr. Guild, through the
4 examination of this witness, fails to make the linkage
5 in the heretofore undefined areas in the deposition to
6 the witness' termination, that a motion to strike would
7 lie.

8 JUDGE GROSSMAN: It might; but it would be
9 unnecessary.

10 In other words, he's not using what he said in the
11 deposition to prove the truth of what was said there,
12 but he's only going to make an argument, I take it, that
13 things that he said there had some effect on his
14 termination.

15 I don't think you can -- and if it doesn't -- if he
16 can't tie it in, there's no reason to strike; but I
17 think there's no problem with our -- no objection to our
18 taking into account the fact that these things were
19 said. I don't see any objection to that.

20 That's all you are offering it for?

21 MR. GUILD: It is, Mr. Chairman.

22 I would simply note, pursuant to the Commission
23 rules, the deposition, I'm informed, has been filed with
24 the secretary of the Commission, it's in the Docket,
25 it's subsequently been served on all the parties. They

1 have notice of what it says.

2 And, again, I don't offer it to prove the substance,
3 of what Mr. Hunter testified to; only that he testified
4 to these things.

5 JUDGE GROSSMAN: Okay.

6 Does Staff have any problem with that?

7 MR. BERRY: No objection.

8 JUDGE GROSSMAN: Okay. We'll do that, Mr.
9 Guild.

10 MR. GUILD: Thank you, Mr. Chairman.

11 JUDGE GROSSMAN: We'll take notice of that.

12 BY MR. GUILD:

13 Q Mr. Hunter, you went to Chicago -- I mean, you went over
14 to the -- to the -- strike that.

15 In January -- on January the 28th, 1986,
16 Commonwealth Edison Company subpoenaed you for a
17 deposition, and Ms. Kezelis asked you questions.

18 Do you recall?

19 A That's correct.

20 Q All right.

21 And where was that deposition taken?

22 A On the jobsite, what they call the red trailer,
23 approximately 150, 200 feet from the QC office.

24 Q All right.

25 That's the lawyer trailer, the Edison lawyer

1 trailer?

2 A I imagine it's the lawyer trailer.

3 At least they call it the red trailer.

4 Q The red trailer.

5 Were any of your co-workers or your supervisor
6 aware that you were having your deposition taken?

7 A I'm pretty sure they were all aware that I was going
8 over to give my deposition.

9 Q I don't want you to speculate or you to guess.

10 But do have any --

11 A That's what I was told.

12 Q Who told you that?

13 A I'm pretty sure it was Tony Simile.

14 Q Mr. Simile?

15 A Yes, I'm sure he did.

16 Q And subsequently, you had to come back and you went to
17 Chicago the second time on the 25th of February?

18 A Yes, that's right.

19 Q Again, you were under subpoena to Commonwealth Edison,
20 were you not?

21 A That's correct.

22 Q And you went to Ms. Kezelis' office in downtown Chicago,
23 did you not?

24 A That's true.

25 Q She asked you questions, did she?

1 A Yes.

2 Q And were your supervision and colleagues aware that you
3 were going to Chicago that day for your deposition?

4 A Oh, yes, yes.

5 Q How do you know that?

6 A I'm sure that I had to tell them that I would be going.

7 In other words, I'm sure that I received a letter
8 or notification in some way that told them that -- that
9 I should report to Chicago at a certain time, certain
10 date --

11 Q All right, sir.

12 A -- to finish the deposition.

13 Q Now, you were, indeed, terminated from L. K. Comstock,
14 were you not --

15 A I was --

16 Q -- or BESTCO?

17 You were terminated by BESTCO?

18 A I was terminated by BESTCO.

19 Q Would you describe the circumstances of your
20 termination?

21 A Well, actually, the termination went on for about a week
22 or so.

23 Like I say, really the first three or four days,
24 you hear all kind of rumors, you know, and things like
25 that.

1 I was given a list of 13 hangers they said was
2 painted.

3 I myself checked the 13 hangers, and I agreed that
4 some of them was painted on the day that I went out and
5 looked at them the second time. I agreed with some of
6 them; some of them I didn't agree with.

7 When I was terminated, Mr. Bill Skidmore, who at
8 that time was site manager for BESTCO, whenever he wrote
9 up my termination papers -- at first he wanted me not to
10 take a termination, he wanted me to just leave the site,
11 and I said, "No, I don't think I can do that," and --
12 anyway, when the termination papers was coming through,
13 I think you will see that it says I failed to follow
14 procedures or failed to follow instructions or whatever
15 the -- whatever -- whatever he put on it, I don't -- I
16 can't recall it offhand, but he also marked on there
17 that I was eligible for rehire.

18 He didn't believe some of the things that it was
19 alleged that I did.

20 Q All right.

21 How do you know that?

22 A Well, he told me so.

23 Q Let me go back in time.

24 You were performing work under the AVO program?

25 A That's true.

1 Q All right.

2 And I take it, from your last answer, you were
3 performing the field inspection that you earlier
4 described --

5 A Right.

6 Q -- the reinspections of hangers?

7 A Right.

8 Q And were you doing this by yourself or in the company of
9 others?

10 A Well, for the first -- probably the first seven
11 months -- I'm -- until the last three or four days, I
12 was pretty well by myself, yes.

13 The last three or four days, I had a young man by
14 the name of Arndt with me.

15 Q All right.

16 And can you identify Mr. Arndt? What was his
17 first name

18 I'm putting you on the spot, Mr. Hunter.

19 Was it Richard?

20 A No, his name wasn't Richard.

21 Q I'm guessing wrong then. Okay.

22 A I've got it written down.

23 To recall his first name right off, I can't.

24 JUDGE GROSSMAN: Mr. Simile, maybe you can
25 help us.

1 MR. SIMILE: Ron, Ron Arndt.

2 THE WITNESS: Ron.

3 MR. GUILD: Ron?

4 THE WITNESS: I know it wasn't Richard.

5 BY MR. GUILD:

6 Q You and Mr. Arndt worked together the last couple of
7 days?

8 A Couple or few days; right.

9 Q Was he a new employee at that time?

10 A Yes. He hadn't been with the company but a very short
11 time.

12 Q You were in the process of training him; is that right?

13 A Yes, in the procedures that we was using to track the
14 documents and everything in the AVO program; right.

15 Q Now, was Mr. Arndt a brand new green QC Inspector?

16 A Oh, no, no. Mr. Arndt had been on several nuclear
17 sites.

18 In fact, he had just come off of a nuclear site
19 to -- to Braidwood.

20 Q Do you know what inspection work he had previously done?

21 A Yes. He was -- he was -- he was a qualified Weld
22 Inspector.

23 Q He had been a certified Level II Weld Inspector?

24 A Oh, yes, for several years.

25 Q Do you know how many years of weld inspection experience

1 Mr. Arndt had?

2 A I'm sure he had six or seven years inspection work.

3 Q Okay. And you stated that he did it on a nuclear job.

4 Do you know what code Mr. Arndt inspected to in his
5 previous work?

6 A I'm sure they worked with the same codes that they are
7 building the Braidwood plant to.

8 Q All right, sir.

9 That conclusion you reach from the course of
10 observing his work, that he worked to the same standards
11 and codes that you did?

12 A I'm sure he worked to the same standards and codes that
13 the Braidwood plant is being built to.

14 Q All right, sir.

15 What was the nature of your work with Mr. Arndt in
16 the last few days of your employment at Comstock and
17 BESTCO?

18 A Mostly showing him the -- how to locate -- like I say,
19 to locate the documents, how to locate the hanger, what
20 to look for on the Rev A-Rev O drawings, the new
21 drawings that we was using.

22 MR. GALLO: Why don't we take five minutes.

23 JUDGE GROSSMAN: All right. We'll take a
24 five-minute break.

25 (WHEREUPON, a recess was had, after which

1 the hearing was resumed as follows:)

2 JUDGE GROSSMAN: We're back in session

3 Mr. Guild.

4 MR. GUILD: Thank you, Mr. Chairman.

5 BY MR. GUILD:

6 Q Mr. Hunter, you, before the break, were describing your
7 work with Mr. Arndt in the last few days of your
8 employment at Braidwood.

9 You stated that you were showing him how to do the
10 research and the review of the drawing revisions in
11 order to perform reinspections.

12 Did you and he both perform the reinspection work?

13 A Yes, for about three days we worked together --

14 Q Okay.

15 A -- approximately.

16 Q And by that I mean, the visual inspection of the welds
17 on these hangers where reinspection was required because
18 of an inability to trace the AVO's to a completed
19 checklist.

20 A That's true.

21 Q All right.

22 Can you describe how you and Mr. Arndt went about
23 performing this field inspection work together?

24 A Mr. Arndt, the first day, he just followed me around to
25 see what I looked at, to see what I -- how I documented

1 it, to see how I stamped it; first one thing and
2 another.

3 In other words, it was just one of those kind of
4 training programs that he observed what I was actually
5 doing.

6 (Indicating.)

7 Q All right.

8 A The second day, he probably looked at one or two hangers
9 hisself.

10 I think maybe a total of three hangers is what Mr.
11 Arndt looked at.

12 Q All right.

13 And did you work along with him when he did that
14 work?

15 A Oh, yes, I was usually with him whenever he -- in other
16 words; he said -- after -- after he had watched me
17 document three or four different hangers, he said, "Let
18 me try mine," you know.

19 Of course, he had his stamp, he was a -- he was
20 certified on the job, so, naturally, you know, he didn't
21 want to just stand back and let me do it all.

22 Q All right.

23 You were training him, but under the BESTCO
24 contract, his certification was good from his previous
25 employment; is that my understanding?

1 A No, I don't think so.

2 Q All right.

3 Why don't you tell me:

4 Was he certified before you performed the AVO?

5 A He was certified by Comstock -- I mean -- yeah, by
6 Comstock -- Comstock --

7 Q Okay.

8 A -- Com Ed, Com Ed.

9 His book would have been approved by Com Ed before
10 they certified his hammer.

11 Q I see.

12 And how long did it take him to train and receive
13 his hammer, if you know?

14 A I'm sure Mr. Arndt was probably on the jobsite at least
15 30 days.

16 Q All right, sir.

17 But at the time you did the work with him, Arndt
18 had his certification in welding?

19 A The number of days I couldn't tell you.

20 Q No.

21 But he did have his certification --

22 A Yes, he did.

23 Q -- during this last week?

24 A Yes, he did.

25 Q And he had his own hammer --

1 A Yes, he did.

2 Q -- to stamp welds?

3 A Yes, he did.

4 Q But you worked on hangers together; is that right?

5 A Yes.

6 On the AVO program, I was considered his trainer.

7 Q Okay.

8 Now, did you ever have occasion to -- did you have
9 occasion to observe Mr. Arndt's inspection activity?

10 A Oh, yes, I did.

11 Q All right.

12 Did he appear to you to be qualified and
13 knowledgeable as an Inspector?

14 A He was knowledgeable, he was knowledgable, as far as
15 weld inspection goes, yes.

16 Q All right.

17 Did you have confidence in his ability to identify
18 rejectable conditions --

19 A Yes, I did.

20 Q -- under the Comstock weld acceptance criteria?

21 A Yes, I did.

22 Q Now, on occasion, when you were working together on the
23 same hanger, did you share the work on inspection and on
24 documenting the inspection?

25 A The -- whoever -- whoever filled out the document, that

1 was the stamp they used.

2 In other words, it wouldn't matter whether there
3 was 70 welds on one hanger and I looked at 70 welds, I
4 stamped 35 of them, Mr. Arndt used my hammer to stamp 35
5 or of them or whatever it was.

6 It was still my responsibility to -- to insure that
7 all 70 welds met the accepted criteria.

8 Q All right.

9 And you did that by -- well, did you visually
10 inspect all those welds yourself?

11 A Oh, yes.

12 Q Okay.

13 But I understand, from your last answer, that, on
14 occasion, you visibly -- visually inspected the weld
15 yourself, but under your direction, Mr. Arndt would
16 place your stamp by a weld; is that true?

17 A Well, if he was in a confined area or an area that was
18 hard for one man to -- to get to -- in other words, if
19 it was half-a-dozen pans running through one hanger,
20 it's true, one man may have looked at them all, but
21 instead of crawling from one side to the other to stamp
22 it or from climbing to top to bottom, one guy might
23 stamp the top, one guy the bottom.

24 That happens quite often.

25 Q When you say it happens quite often, did it happen with

1 other Inspectors aside from yourself and Mr. Arndt?

2 A Oh, yes.

3 Q Did you observe other Inspectors doing that?

4 A Oh, yes, yes.

5 Q While another Inspector might stamp a weld for his
6 colleague, do I understand your testimony to be that the
7 Inspector who signs the checklist takes full
8 responsibility --

9 A That's true.

10 Q -- for the work?

11 a That's true.

12 Q All right.

13 And in your case, if you have done that in the
14 past, have you inspected the work yourself?

15 A Oh, yes.

16 Q All right.

17 When you come out to the -- you and Mr. Arndt
18 now -- when you come out to the hanger that you are
19 looking at -- let's say the hanger has 50 welds on it
20 total and some 20 of them are field welds.

21 It's a large hanger. Let's say it's 10 or 15 feet
22 tall. It covers a number of different elevations.

23 Would you stamp each weld as you inspected that
24 weld and wrote that weld -- well, would you stamp each
25 weld at the time you inspected that specific weld?

1 A Not necessarily.

2 A lot of us -- in other words, if you had a
3 rejectable criteria, rather than writing it up as each
4 and every weld, you know, you would reject weld so and
5 so, location so and so, you know, and there would be no
6 stamp on it.

7 If it was an acceptable weld, the last criteria
8 that we was using, you stamped it, you wrote a Form 30
9 or an ICR or NCR, whatever is required, and turned it in
10 that way.

11 In other words, it might be -- the 50 welds, there
12 might be 45 of them acceptable, but that had to be noted
13 on your Form 19, and 5 rejectable.

14 That had to be shown on a Form 30 or Form 14 or
15 whatever you was using.

16 Q All right, sir.

17 Now, I'm just trying to understand the sequence of
18 events.

19 You come out to the hanger to inspect the welds
20 that are required to be inspected?

21 A Right.

22 Q And those are the field welds, not the vendor welds?

23 A That's true.

24 Q All right.

25 Let's assume in my example there are 20 field

1 welds.

2 There are the attachment welds, plus there may be
3 some other welds on the hanger that may be field
4 performed; correct?

5 A Right.

6 Q Now, you go to inspect those welds.

7 Do you give them a once over before you complete
8 the work?

9 A Usually you make sure that all the welds are in place.

10 In other words, if there's something missing or
11 something like that, you can automatically write a Form
12 30 on it. You know, it's just automatically ICR. In
13 other words, it's not completed.

14 Q All right.

15 Do you look to see whether or not the welds are in
16 an inspectable condition --

17 a That's true.

18 Q -- to determine whether or not they are free from paint
19 or dirt or rust, to be able to inspect?

20 A You make sure that they are visibly inspectable.

21 Q I'm sorry.

22 The last answer?

23 A You make sure that they are visibly inspectable.

24 Q Now, I just want to show you a checklist, and this is
25 just a random one, but it's a Form 19 Rev K 21086.

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(Indicating.)

And is this one of the inspection criteria that relates to the field observed condition of the weld, its cleanliness, et cetera?

A It says, 'Weld sufficiently clean not to impair visual inspection.'

Q Okay.

Is there a reference to the Comstock weld inspection procedure by that attribute?

A Yes; Paragraph 3.2.

Q That's 3.2 of the weld inspection procedure; correct?

A That's correct.

Q All right.

Now, does that inspection procedure provision, to the best of your knowledge, state anything about the weld being free of paint?

A I believe it says that the weld should be sufficiently clean of all foreign material.

Q All right.

Again, the criterion on the checklist reads weld was sufficiently cleaned as not to impair visual inspection?

A That's true.

Q All right.

Now, does that require, in your opinion, judgment

1 on the part of the Inspector?

2 A Yes, that is strictly a judgment call.

3 Q Some Inspectors may believe -- am I understanding you
4 that -- well, strike that.

5 All right. So you come to the hanger, and you and
6 Mr. Arndt are looking at the hanger.

7 Do you, at the outset or at some other time,
8 determine whether or not the welds are in a sufficiently
9 clean state to allow an inspection?

10 When do you do that?

11 A You have to do that before you put your stamp to it --

12 Q Okay.

13 A -- or before you fill out a Form 19.

14 Q All right.

15 So in the instance where you ultimately go back and
16 place your stamp next to the weld, indicating it's
17 acceptable, you've already looked at the weld once to
18 determine that it's sufficiently clean of paint, et
19 cetera, to be able to inspect it?

20 A That is usually correct.

21 Q And if you look at the weld and determine that it's not
22 sufficiently clean -- per Paragraph 3.2, not
23 sufficiently clean to allow you to perform your visual
24 inspection, what do you do?

25 A You don't stamp it and you write up a Form 30 for paint

1 removal --

2 (Indicating.)

3 Q All right.

4 A -- or whatever -- whatever the problem is.

5 Q All right.

6 Well, is Form 30 an ICR?

7 A Form 30 is an ICR.

8 Q Okay.

9 So you would initially determine, before you
10 completed your inspection, that the first checkpoint on
11 the checklist was rejectable, and that is that the weld
12 was not sufficiently clean?

13 A That's the first criteria you use.

14 Q All right, all right.

15 Now, you and Mr. Arndt completed your inspections,
16 as you described, during this couple-of-day period.

17 How did it come to your attention that you had been
18 alleged to have performed deficient work?

19 A Well, I don't know where I heard it -- well, I take that
20 back.

21 A young PTL Inspector said, "You fellows are
22 looking through paint," you know. I said, "No, we don't
23 look through no paint for welds."

24 He was following us on this AVO program checking
25 the accept and reject welds that PTL does.

1 I think they was at that time doing a 25-percent
2 overview.

3 I don't know what the percent that they were doing.

4 Q But it was an overview; correct?

5 A Maybe it was a hundred percent. I don't know.

6 And, anyway, I pointed out on the vendor welds that
7 was painted with old Galanox, the old gray Galvanox -- I
8 said, "Sure them painted," but I said, "we don't even
9 have to look at them." "What do you mean you don't have
10 to look at them?"

11 One thing led to another. I think he got a little
12 wise; and like I say, I've got enough Scotch-Irish to
13 get my damper up whenever I know something, you know, so
14 one thing led to another; and about three or four days
15 later, why, I don't know who I heard it from -- whether
16 it was from Brian Murphy or Tony Simile or someone
17 said -- someone said, "Don't go back out and do anymore
18 inspections. I've got some questions."

19 Q Okay. Now, wait a minute. Let me stop you there.

20 Who is Brian Murphy?

21 A Brian Murphy was my Lead in the -- in the AVO program.

22 Q Okay.

23 A So I says, "Fine and dandy"; and that went along, like I
24 say -- I don't know -- three or four days.

25 I went out myself -- when I -- when I got a list of

- 1 13, I went out myself.
- 2 Q Now, the 13 what?
- 3 A 13 inspections that they requested.
- 4 Q Who's "they"?
- 5 A I imagine it was PTL. I don't know.
- 6 Q All right. You got a list.
- 7 And who gave you the list?
- 8 A I would say that Brian Murphy gave me the list. I would
- 9 say that, not knowing.
- 10 Q You seem to be surprised by a question about that.
- 11 Was Mr. Murphy your Lead?
- 12 A Right.
- 13 Q Could it have been anybody else who gave you the list?
- 14 A Oh, yes, it could have been Tony; it could have been
- 15 any -- it could have been anyone like that.
- 16 Q You recall that someone in supervision gave you that
- 17 list?
- 18 A I say that someone in supervision gave me a list.
- 19 Q They gave you a list of 13 hangers?
- 20 A Of the 13 they questioned, yes.
- 21 Q All right.
- 22 What did you do then?
- 23 A I myself went out and checked them at that time, which
- 24 was anywhere from a week to 2 weeks, maybe to 21 days.
- 25 From the time I had actually written the Form 19's

1 myself, accepted them, there was that much time period.

2 Q All right.

3 Were you doing the inspections on or about the
4 second week in March?

5 A That's true.

6 Q Say the 10th through the 15th?

7 A The 10th, yeah, to the 18th or 19th, whatever the date
8 the last one is.

9 Q All right.

10 And did you go back out to the field a week or so
11 later?

12 A I went out on the 25th and looked at them.

13 Q On the 25th of March?

14 A On the 25th of March.

15 Q All right, sir.

16 Let me show you a document, Mr. Hunter, which I'd
17 ask be marked as Intervenors' 67 for identification,
18 please.

19 (Indicating.)

20 (The document was thereupon marked
21 Intervenors' Exhibit No. 67 for
22 identification as of July 23, 1986.)

23 BY MR. GUILD:

24 Q Okay.

25 Mr. Hunter, can you identify the document I have

1 just given you?

2 It's a Xerox copy of an original document.

3 A Yes. This -- this is the day that I went out and looked
4 at the 13 hangers that they questioned.

5 Q All right.

6 Is this a list of 13 hangers?

7 A This is a list of hanger number, number of welds,
8 location, drawing number and so forth.

9 Q All right.

10 And is this in your handwriting?

11 A This is my handwriting; correct.

12 Q All right.

13 And is this the list that you prepared when you
14 went to the field on the 25th of March --

15 A This is on the 25th.

16 Q -- to re-examine the hangers that you had been told that
17 were found were questioned --

18 A Right.

19 Q -- is that right?

20 A That's correct.

21 Q All right.

22 Now, would you describe for the Board and parties
23 what you did on that day when you had the list?

24 JUDGE GROSSMAN: We don't know yet why they
25 were questioned, I don't believe -- oh, I don't

1 believe --

2 MR. GUILD: I don't know.

3 BY MR. GUILD:

4 Q Do you know why these were questioned? Were you told
5 why they were questioned?

6 A Not in so many words. Someone -- I believe it was Mr.
7 Tony Simile -- said that, "Have you been looking through
8 paint," and I said, "Tony, I never looked at an
9 attachment weld through paint in my life."

10 Q All right.

11 And did you have an understanding that you were
12 being questioned about inspecting these hangers through
13 paint?

14 A That's right.

15 Q All right.

16 But did anybody actually tell you those hangers
17 were supposed to have been inspected in a painted
18 condition?

19 A I believe someone -- probably Mr. Simile or Mr.
20 Sassman -- says, "You have some hangers that you
21 inspected and accepted that's painted," and I said, "I
22 never looked at an attachment weld through paint in my
23 life."

24 Q Now, you said Sassman. .

25 You mean Seltmann?

1 A Seltmann.

2 Q Bob Seltmann, the QA Manager?

3 A Bob Seltmann.

4 Q Now, did he give you this list?

5 A I got this list from someone; and like I say, offhand, I
6 can't say it was Brian Murphy, Tony Simile or who, but
7 that was the list that I got.

8 Q When you got the list, did you understand these were the
9 hangers that are supposedly inspected through paint?

10 A That's correct.

11 Q Okay.

12 Now, what did you do?

13 A I went out and did a visual inspection on them myself.

14 If you will notice over there, that is my mine
15 where it says, "no paint," "paint," and there is I think
16 some five that was painted -- at the time on March the
17 25th there was some five hangers that was painted.

18 Q All right. Now, let me start at the top here.

19 For Hanger 13 H 14, you got written above, "No
20 paint"; is that right?

21 A Right, that's correct.

22 Q And that's 58 weld?s

23 A 58 welds.

24 Q Okay.

25 Are those vendor welds or field welds; do you know?

1 A Not -- without my Form 19, I couldn't tell you.

2 Q All right.

3 Do you know how many of those 58 you were supposed
4 to inspect --

5 A Oh, yes.

6 Q -- as field welds?

7 A If I was looking -- if I was looking at them with the
8 Rev A-Rev O drawing, all 58, but if I didn't have the
9 Rev A-Rev O drawing, it might not be but just a few.

10 Q So 58 is --

11 A That is the number of welds that's on the hanger.

12 A That's the total number of welds.

13 A That's the total number of welds; and --

14 Q And some portion of the welds were the welds you
15 inspected but not all of them?

16 A Yes, that's correct.

17 Q And you previously testified you only inspected the
18 field welds?

19 A I only inspected field welds.

20 Q Okay.

21 Looking down the list, for Hanger 14 H 6 -- do you
22 see that one?

23 A Yes.

24 Q That indicates 40 welds.

25 Is that the total welds on that one?

1 A That is the total number of welds.

2 Q What is the note by that particular hanger?

3 A It says vendor welds were painted.

4 In other words, without the Form 19, I don't know
5 how many vendor weld there actually were.

6 Q All right.

7 But you observed, when you looked into the field,
8 that the vendor registered metals were painted for that
9 hanger?

10 A That true.t

11 Q Hat's what that notation indicates?

12 A That's what that notation says.

13 Also, I'm sure on my Form 19 notes that the vendor
14 welds were in place.

15 Q Okay.

16 Reading down, the Hanger No. 12 H 35, it says, what
17 appears to be, "48 welds;" is that right?

18 A That's right.

19 Q Am I read being correctly? Does it is say "painted"
20 above that?

21 A It says "painted."

22 Q And did you observe those welds to be in a painted
23 condition when you went to the field on the 25th of
24 March?

25 A On the 25th they were painted; right.

- 1 Q Okay.
- 2 12 H 1, it shows 12 F, 12V.
- 3 A Field welds.
- 4 Q 12 V, what does that mean?
- 5 A 12 field welds and 12 vendor welds.
- 6 Q So I'm you inspected the field welts; right?
- 7 A Yes, that's correct.
- 8 Q And it says "painted" by the 12 V.
- 9 Does that mean the vendor welds were painted?
- 10 A The vendor welds were painted.
- 11 That's usually with Galvanox.
- 12 Q That's what you observed on the 25th of March --
- 13 That's true.
- 14 Q -- 1986?
- 15 Reading down the next one where, there's painted
- 16 indicated, hanger 14 H 47, shows 34 welds and painted;
- 17 correct?
- 18 A That's true.
- 19 Q They were painted when you went to the field on the
- 20 25th?
- 21 A On the 25th they were painted.
- 22 Q All right.
- 23 19 H 43, 28 welds painted on the 25th; that's true.
- 24 19 L 44, 40 welds painted on the 25th; that's true.
- 25 Q All right.

1 Did you inspect any of the field welds, the
2 attachments welds, through paint?

3 A No attachment weld was ever looked at through paint.

4 MR. GALLO: Could I have that question and
5 answer read back, please.

6 (The record was thereupon read by the
7 Reporter)

8 THE WITNESS: What did he say?

9 MR. GALLO: Thank you.

10 BY MR. GUILD:

11 Q Do you mean to say -- well, did you ever inspect any
12 attachment welds through paint?

13 A No, I never.

14 Q Okay.

15 What did you do with this document, this list, and
16 notation of the field observed conditions on the 25th of
17 March, if anything, Mr. Hunter?

18 A I don't think there was ever anything done with it.

19 Q All right.

20 A It might have been shown to Tony, it might have been
21 shown to Com Ed, BESTCO and Larry -- Larry.

22 Q To Com Ed, BESTCO?

23 A Yes.

24 It might have been even shown to the union steward,
25 which was Larry Bossong at the time. They may have seen

1 that.

2 Q All right.

3 Do you recall showing it to any of those people?

4 A I don't recall it, no.

5 Q All right.

6 Let me show you another document, which I'd ask be
7 marked as Intervenors' 68 for identification.

8 (Indicating.)

9 (The document was thereupon marked
10 Intervenors' Exhibit No. 68 for
11 identification as of July 23, 1986.)

12 BY MR. GUILD:

13 Q I'm showing you a two page Xerox document, Mr. Hunter.
14 It bears the date 3/25/86. "Subject, The questioning of
15 R. D. Hunter - Integrity - Ability - Honesty. To whom
16 it may concern." It appears to bear your signature on
17 the second page.

18 Can you identify this document?

19 A Yes, I wrote that.

20 Q Okay.

21 This is a Xerox copy of a document you wrote?

22 A I'm pretty sure it is, yes.

23 Q All right.

24 And who did you -- who, if anybody, did you present
25 this document to?

1 A Tom Skidmore got a copy of this.

2 Q Now, Mr. Skidmore is whom?

3 A He was manager of BESTCO project site.

4 Q All right.

5 He was the man responsible for formally taking
6 action with respect to your termination?

7 A Well, yes, he was -- he was the fellow that was
8 furnishing the QC Department with -- with the labor.

9 Q Okay.

10 When you referred earlier to a Mr. Skidmore, you
11 referred to him as the man who filled out the form that
12 said that you were eligible for rehire.

13 Is that the same gentleman?

14 A That's correct, that's correct.

15 Q Okay.

16 Now, the second -- several lines down, in the body
17 of this document, Intervenors' Exhibit 68 for
18 identification, it states as follows: "I have just
19 returned to the QC office from inspecting said hangers,"
20 and it goes on.

21 Now, is that statement a reference to the field
22 reinspection that was documented on Exhibit 67, your
23 list of the hangers?

24 A I'm sure it is, yes.

25 Q Okay.

1 Now, in substance, do I understand correctly that
2 you told Mr. Skidmore, through this writing, that you
3 had not inspected any attachment welds or field welds
4 through paint?

5 A I told him that there was never any attachment welds
6 looked at by me through paint.

7 Hanger welds, I couldn't say, because that's a
8 different ball game. Hangers could have come in from
9 any place.

10 (Indicating.)

11 The fab shops paint their own hangers.

12 Whether it's -- whether it's tube steel or Unistrut
13 or what, they paint it at the fab shop.

14 Q All right.

15 Now, you present -- you refer to several hangers in
16 this letter to Mr. Skidmore, the 3/25/86 document; and
17 if you take a moment and refer, Mr. Hunter, to your list
18 of the hangers in the field, Exhibit 67, I want to ask
19 you about what appears to me to be a discrepancy.

20 You state, in part, in your letter, "I completely
21 disagree with Hanger 19 H 43 and 19 H 44," on drawing
22 such and such. "There may be some rust, dirt and debris
23 on the" -- I can't read it -- "west plate" --

24 A Right.

25 Q --"to exbed, but the hanger" --

1 A Right.

2 Q -- "welds are not painted."

3 All right. Now, I'm looking at your list, the list
4 of hangers.

5 And can you find those two hangers on that list?

6 A Yes, it says 29 weld painted and 40 welds painted.

7 Q All right.

8 Now, in fact, you went to the field and looked at
9 those two hangers, 19 H 43 and 19 H 44, and you observed
10 that they were, on the 25th of March, in a painted
11 condition; is that right?

12 A On the 25th, they were painted; right.

13 Q All right.

14 So you simply were mistaken when you listed those
15 two in the Skidmore letter, Exhibit 68, as not now
16 painted --

17 A Yes.

18 Q -- correct?

19 All right. Were those two hangers -- were the
20 attachment or field welds that you inspected on those
21 two hangers, 19 H 43 and 19 H 44 -- were they in a
22 painted condition when you performed the reinspection of
23 them at the earlier date?

24 A No. I'm sure that they had -- because they were in --
25 in an area where they had some rust and some dirt and

1 dust, a lot of core holes being drilled and things like
2 that, I'm sure there was a lot of debris as far as that
3 goes on the hanger.

4 But the day I looked at them, the attachment welds
5 were not painted.

6 Q Okay.

7 Now, when you say you are sure there was a lot of
8 debris on the weld --

9 A Yes.

10 Q -- because of location, what was the location of these
11 hangers?

12 A It was against a concrete wall, which you notice I. Wall
13 and Line 11 and 12 on Elevation 383.

14 Q All right, all right.

15 And why was there dust?

16 A Well, a lot of -- a lot of core holes was being drilled
17 in that area at that time.

18 Q All right.

19 Did that cause concrete dust?

20 A Oh, yes.

21 Q All right.

22 That fell on to the --

23 A Oh, yes.

24 Q -- components?

25 A It just covers completely until they wipe it off and

1 everything like that.

2 Q You said you were sure there was rust on these
3 components.

4 Why do you say rust?

5 A This was an old hanger. There was a lot of -- there was
6 a lot of moisture in this area, so it doesn't take long
7 for it to rust.

8 Q All right.

9 Were these particular hangers, the attachment or
10 field welds, sufficiently cleaned so as not to impair
11 visual inspection at the time you reinspected them?

12 A At the time I reinspected them?

13 Q Yes. Not the 25th now, but the time you completed the
14 Form 19 checklist.

15 A Yes, whenever the Form 19 was written, they were
16 sufficiently clean to make a judgment on them.

17 Q All right.

18 Now, what did Mr. Skidmore say, if anything, when
19 you presented him with this letter on or about the 25th
20 of March, 1986?

21 A Well, first he said -- I believe maybe this was before
22 we went over -- he went over with Mr. Larry Bossong and
23 one of the fellows from Commonwealth Edison -- I can't
24 call his name off right now but I have it down some
25 place -- anyway, we went over and we looked at them on

1 the -- on the 25th.

2 Q All right.

3 A Some of them -- they all agreed that they were
4 sufficiently clean to make a judgment call.

5 There were about four or five that they said was
6 questionable whether they was actually sufficiently
7 clean to make a judgment call and there were four or
8 five they said was painted.

9 Q All right.

10 Now --

11 A Mr. Tom Skidmore said, "When was they painted, right
12 after they welded them, yesterday or today or when?"

13 In other words, they didn't have any set program.
14 As far as the electricians, they furnished their own
15 clean-up people and their own paint people.

16 They had no set program as far as coming back and
17 repainting or painting the weld after the inspection had
18 been completed.

19 (Indicating.)

20 Q All right.

21 So they could have been -- as your understanding,
22 they could have been painted at any time after you
23 performed the inspections?

24 A That's what I say.

25 Q All right.

1 Now, what portion of the weld is required to be
2 cleaned, as a matter of course, in order to allow you to
3 perform a visual inspection?

4 A Fillet welds, which most of these were, just from toe to
5 toe and from the start of the weld to the end of the
6 weld.

7 Q All right.

8 Did you clean an area of the base metal around the
9 weld?

10 A Not usually, no.

11 Q All right.

12 Where did --

13 A There was no reason to.

14 Q Where did you put your QC Inspector stamp?

15 A It was supposed to be two inches of the -- approximately
16 of the weld, in other words, or wherever that is
17 physically -- wherever you are physically able to put
18 it. In other words, in the proximity of the weld.

19 Q All right.

20 Now, is it possible that you inspected a weld that
21 was, indeed, cleaned on the weld -- weldment itself, the
22 length and breadth of the weld -- is it possible you
23 inspected a weld that was cleaned but placed your stamp
24 on an adjacent portion of the base metal that was itself
25 still painted?

1 A Yes, that happens quite often.

2 Q All right.

3 And if you put your stamp on the adjacent part of a
4 base metal that was painted, would it be obvious to the
5 observer that the stamp was made over a painted surface?

6 A Oh, sure.

7 Q Why was that?

8 A Well, usually the metal will show right up through,
9 because your stamp makes an indentation into your base
10 metal or to the steel where it leaves a bright, shiny
11 area, you know.

12 (Indicating.)

13 Q All right.

14 And that the existence of a bright shiny area, and,
15 therefore, the evident fact that the stamp had been
16 placed over paint doesn't indicate that the inspection
17 was performed through paint, does it?

18 A No, that's true.

19 Q Now, you state to Mr. Skidmore, in your letter, the
20 second paragraph, "I have never had my integrity or
21 ability, (honesty), questioned before," et cetera,

22 Now, had you ever been informed by your supervision
23 as to the quality of your weld inspection work, Mr.
24 Hunter?

25 A Approximately 30 days before I was terminated, I think I

1 seen my first evaluation from PTL.

2 Q All right.

3 What were the circumstances where that was brought
4 to your attention, your PTL evaluation?

5 A I'm pretty sure Mr. Tony Simile sent word over to Mr. --
6 I believe the man's name was Baker, or Mr. Baker brought
7 word over that they wanted to see me over there.

8 Q Who is Baker?

9 A Mr. Baker is -- I don't know what his title is; but they
10 brought him in from Ohio approximately in September,
11 October of '85, and he took over as one of the
12 supervisors.

13 Q All right, sir.

14 He called you?

15 A He was a weld supervisor, if I'm not mistaken.

16 Q All right.

17 Through Mr. Baker you were told that Mr. Simile
18 wanted to see you?

19 A Yes, that Mr. Simile or Mr. --

20 JUDGE GROSSMAN: Through Mr. Simile you were
21 told that Mr. Baker wanted to see you?

22 THE WITNESS: No. Mr. Baker told me that Mr.
23 Simile wanted to see me.

24 JUDGE GROSSMAN: Oh, I see. Okay.

25 A (Continuing.) And when I got over there, I went in to

1 see Mr. -- anyway, he says, "This is all a mistake."

2 BY MR. GUILD:

3 Q You can't remember the name of the person who --

4 a No, I can't remember the name of the person.

5 Q Can you describe the person's position? What job did
6 he hold?

7 A Yes, I'm pretty sure he was in charge of the training
8 program.

9 Q All right.

10 A He says, "It's all a mistake"; and that was the first
11 time that I had ever seen an evaluation on me.

12 Q All right.

13 What did he tell you was a mistake?

14 A Oh, he said, "You got one of the highest, if not the
15 highest, accept-reject scoring." You know, he said,
16 "You have one of the highest" --

17 Q Do you know whether or not your acceptance rate was
18 expressed in terms of a percentage of the work that was
19 reinspected?

20 A Oh, yes, yes.

21 Q And what --

22 A Well, as far as overall inspection.

23 Q All right.

24 And what was the percentage that you understood you
25 scored in the PTL overinspection?

1 A 99.25.

2 Q All right.

3 And do you understand -- do you have any
4 understanding of how that compared to other Weld
5 Inspectors?

6 A I think it was a little bit higher than anyone else.

7 Q All right, sir.

8 That was the substance of whoever this
9 supervisor --

10 A Yes.

11 Q -- was informed you?

12 A Right, right, that's true.

13 Q All right.

14 Were you ever otherwise reprimanded or counseled
15 because of a poor or rejectable quality weld inspection
16 work?

17 A No, I wasn't.

18 Q Okay.

19 JUDGE GROSSMAN: I'm sorry.

20 Is that 99 something percent good or bad?

21 I don't think that's clear from the questioning.

22 THE WITNESS: 99.25 good.

23 JUDGE GROSSMAN: Okay.

24 BY MR. GUILD:

25 Q Of the welds that PTL overinspected of your work --

1 A Right.

2 Q -- they found 99.25 percent acceptable?

3 A Right; criteria that -- that PTL used as far as whether
4 my welds was acceptable or rejectable.

5 Q Okay.

6 The degree to which you acceptably performed your
7 inspection work --

8 A Right.

9 Q -- called it correctly?

10 MR. GUILD: Mr. Chairman, I would at this
11 time move for the admission of Intervenors' Exhibits 67
12 and 68.

13 MR. GALLO: No objection.

14 MR. BERRY: No objection.

15 JUDGE GROSSMAN: Received.

16 (The documents were thereupon received
17 into evidence as Intervenors' Exhibits
18 Nos. 67 and 68.)

19 BOARD EXAMINATION

20 BY JUDGE GROSSMAN:

21 Q By the way, I'm not sure.

22 When you had gone back to the welds, I believe you
23 indicated that you had told those people that the welds
24 were in inspectable condition when you had inspected
25 them; is that correct?

1 A I said all attachment welds was -- met the criteria for
2 inspection.

3 Q Okay.

4 What did they say to you at that time?

5 A Oh, they said, "How could it, how could it, the paint on
6 it, the paint on it? Your stamp is through the paint."

7 Q Okay.

8 So they disagreed agreed with you at that time?

9 A Yes.

10 JUDGE GROSSMAN: Okay.

11 DIRECT EXAMINATION

12 (Continued.)

13 BY MR. GUILD:

14 Q And who is "they"? Who are you referring to as they?

15 A Tony Simile.

16 I don't think maybe the Commonwealth Edison man
17 made the remark or anything like that.

18 Q All right.

19 Now, in the body of your letter, Exhibit 68 in
20 evidence, you refer, on the second page, to a standard.
21 The quote is, "Have you studied NCIG-01 Section 2, 2.1
22 and 2.2 or does this apply to the Braidwood job?"

23 What does that refer to, Mr. Hunter?

24 A Okay. The NCIG-01 was a -- an inspection criteria that
25 I believe it was 13 utilities got together and said,

1 "We're costing us top money to everybody inspect to a
2 certain standard, so let's standardize the inspection."

3 So what they did --

4 Q All right.

5 A -- they wrote up this very short, but straightforward
6 inspection criteria or guide, and if I'm not mistaken,
7 Commonwealth Edison accepted it, and was to implement it
8 into the procedures for the QC Department at Braidwood.

9 Q All right.

10 And is this a guide for the interpretation of the
11 AWS D1.1 welding code?

12 A Yes, this has to qualify under AWS D1.1 in order to be
13 used by the Nuclear Regulatory Commission.

14 Q So it's an interpretation of D1.1; is that right?

15 A No, it's not an interpretation.

16 Q What is the relationship of D1.1, if you know?

17 A I would say that it was just a companion to D1.1 --

18 Q All right.

19 A -- AWS D1.1.

20 Q Did it replace D1.1 as an acceptable criteria?

21 A No, I don't think it can replace it.

22 Q All right, sir.

23 Mr. Hunter, let me show you an extract from that
24 document, the relevant portions that you referred to in
25 your letter to Mr. Skidmore, which I ask be marked for

1 identification as Intervenors' Exhibit 69.

2 (Indicating.)

3 (The document was thereupon marked

4 Intervenors' Exhibit No. 69 for

5 identification as of July 23, 1986.)

6 BY MR. GUILD:

7 Q Mr. Hunter, I wanted to show you the original of this
8 document.

9 The copies that have been marked for identification
10 have some highlighting on them that obscures the
11 language in parts of it.

12 Did you highlight this document?

13 A I highlighted this myself.

14 Q Okay.

15 Now, the portions that you cite to in your letter
16 to Mr. Skidmore are the general inspection guidelines
17 portion, Paragraphs 2.0, .1 and .2, are they not?

18 A That's correct.

19 Q All right.

20 And what -- what was the import or purpose of your
21 reference to these guidelines in your communication with
22 Mr. Skidmore?

23 A Whether I actually met the criteria as far as visual
24 inspection, whether I accepted or rejected a -- an
25 acceptable or rejectable item through visual

1 examination.

2 Q All right.

3 What was the relevant portions, in your opinion, of
4 this guideline to that issue?

5 A (n 3 -- on 2.2, Page 2 of 2, the third paragraph.

6 Q All right.

7 Can you read the first line of it?

8 A "The visual examination relies on the Inspector's
9 ability to detect the condition being checked using his
10 normal eyesight."

11 Q All right.

12 A "If a condition is so small that its relevance cannot be
13 determined with ordinary eyesight, the condition is
14 acceptable."

15 Q All right.

16 A Okay.

17 And on the top of the page, it says, "Visual
18 inspection of welds is normally performed on the
19 as-welded surface. Surface conditioning by grinding,
20 buffing, filing and so forth is usually not required."

21 Q All right, okay.

22 Are there any other portions of these NCIG
23 guidelines, acceptable criteria for visual inspection,
24 that you were referring to in your Skidmore letter that
25 you believe are relevant?

1 A Just the -- just the -- on 2.1, the third paragraph,
2 "Second-guessing has occurred because some people have a
3 different understanding of the meaning of the acceptance
4 criteria."

5 Q All right, sir.

6 MR. GUILD: Mr. Chairman, I would ask that
7 Intervenors' Exhibit 69 be received into evidence.

8 MR. GALLO: May I conduct some voir dire?

9 JUDGE GROSSMAN: Yes, you may.

10 VOIR DIRE EXAMINATION

11 BY MR. GALLO:

12 Q Mr. Hunter, if I understood one of your answers to
13 counsel's questions, that you had provided the
14 highlighting that is shown on these two sheets; is that
15 correct?

16 A Yes, I did.

17 Q And when did you do that highlighting?

18 A When did I do that?

19 Q Yes.

20 A Probably in September of '85.

21 Q September of '85 you did that highlighting.

22 And where did you obtain these two pages from?

23 A It was given -- oh, the whole -- the whole package was
24 given to us in the office of Commonwealth Edison
25 whenever they presented this little program, and I'm --

1 I'm pretty sure it was probably September of '85.

2 MR. GUILD: Counsel, there's a date on the
3 face of the document, if it would help.

4 MR. GALLO: Yes. The document says October
5 of '85.

6 THE WITNESS: Well, maybe it was October.

7 BY MR. GALLO:

8 Q Now, could you tell me again how you came to be in
9 possession of these two pages in October of '85?

10 A Yes. The whole package was given to me.

11 MR. GUILD: Counsel, I'll stipulate that I
12 made a Xerox of only the relevant portions that were
13 cited in the Skidmore letter.

14 I have the entire document, if you would like to
15 examine it.

16 BY MR. GALLO:

17 Q And who gave you the whole package?

18 A The people who presented the program there in the office
19 at Commonwealth Edison.

20 Q Was this a training session?

21 A It was a training session; right.

22 Q Did Commonwealth Edison representatives conduct the
23 training?

24 A I'm sure they did, yes.

25 Q Well, did they or didn't they?

- 1 A I'm sure they did.
- 2 I -- the man's name I don't know, but I'm sure he
- 3 was -- he was an employee.
- 4 Q And it was your understanding that it was Commonwealth
- 5 Edison?
- 6 A That was my understanding.
- 7 Q And did he -- were there more -- was it just yourself in
- 8 attendance or was there a number of Comstock QC
- 9 Inspectors?
- 10 A Oh, there was a number of us.
- 11 Q Did each one of the Inspectors, including yourself, get
- 12 a copy of this NCIG-01?
- 13 A I'm sure they passed it out to everyone.
- 14 Q How did you come by this yourself?
- 15 A They passed it out to us.
- 16 Q And you got it in that fashion?
- 17 A Yes.
- 18 Q And what was your understanding of what the purpose of
- 19 this training manual was?
- 20 A To standardize the techniques that was used in
- 21 inspection on utility construction jobs.
- 22 Q And, to your knowledge, was this guide incorporated into
- 23 the Comstock weld inspection procedures?
- 24 A Yes, it was.
- 25 Q It was.

1 To your knowledge, was this guideline in effect and
2 used by you at the time of your reinspections in March
3 of 1986?

4 A It was in the procedures at that time, I'm pretty sure.

5 Q You are pretty sure that it was in the procedures at
6 Copmstock?

7 A Right.

8 I don't have the procedure with me, but I'm pretty
9 sure it was, yes.

10 Q So it's your testimony that this procedure was in effect
11 and applicable at the time of the -- well, what I will
12 refer to as the controversy over the painted hangers and
13 the painted welds?

14 A Yes, it's my understanding that Commonwealth Edison
15 accepted this and the NRC.

16 Q Now, that's not my question.

17 My question is:

18 Was it your understanding that this guide -- these
19 guidelines were in effect at the time that you did the
20 inspections -- or the reinspections involving the
21 painted welds in March of 1986?

22 A Yes, yes.

23 Q Did you provide this two-page document to Mr. Skidmore
24 at the time you wrote your letter that's entitled, "To
25 whom it may concern," Intervenors' 68?

1 A I didn't write him a copy; no, I never.

2 Q You didn't provide him a copy?

3 A No, I didn't.

4 Q What caused you to do the highlighting that you -- that
5 you -- that you have indicated on these two pages?

6 A I thought that was the high points of -- of each of the
7 paragraphs that -- that the -- if you will notice, the
8 first highlight was, "Because of" -- "because of the
9 numerous levels of inspection in the nuclear industry,
10 some inspectors may be concerned about being second
11 guessed. In an effort to assure all welds are
12 acceptable at all levels of inspection, an inspector may
13 decide it is easier to reject any condition that is
14 questionable or not obviously acceptable. Using this
15 approach, an inspector may feel he is doing the best job
16 possible. However, any inspector is not performing his
17 job properly when acceptable welds are rejected."

18 Q All right.

19 Did you do -- I don't recall now.

20 Did you do the highlighting during the course of
21 this meeting that took place in September?

22 A Some of it I did, yes; some it I'm sure I did, yes.

23 Q Did you do any of it later on, do you recall?

24 A I'm sure they went through the procedures, I picked out
25 the points that should be made, like continuous

1 measurement, the full length weld is neither required
2 nor --

3 Q I'm just asking you as to when you did it.

4 Was it in September or October, 1985?

5 A Well, if this -- if this come out in October, it was in
6 October, instead of September, but I think the program
7 was given in September.

8 Q Was that the time --

9 A I don't have the notes with me.

10 Q But it was at the time that you came into the possession
11 of the document?

12 A That was the time.

13 MR. GALLO: All right.

14 I have no objection.

15 JUDGE GROSSMAN: Any objection?

16 MR. BERRY: No objection.

17 JUDGE GROSSMAN: Received.

18 (The document was thereupon received into
19 evidence as Intervenors' Exhibit No. 69.)

20 JUDGE GROSSMAN: It is late.

21 Okay. We'll --

22 MR. GUILD: Yes, sir.

23 JUDGE GROSSMAN: -- recess, then, until
24 tomorrow at 9:00 o'clock.

25 THE WITNESS: At what time?

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JUDGE GROSSMAN: 9:00 o'clock.

(WHEREUPON, at the hour of 5:10 P. M., the hearing of the above-entitled matter was continued to the 24th day of July, at the hour of 9:00 o'clock A. M.)

CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceedings before the UNITED STATES NUCLEAR REGULATORY COMMISSION in the matter of:

NAME OF PROCEEDING: BRAIDWOOD STATION
UNITS 1 & 2
COMMONWEALTH EDISON COMPANY
(EVIDENTIARY HEARING)

DOCKET NO.: 50-456/457-OL

PLACE: JOLIET, ILLINOIS

DATE: WEDNESDAY, JULY 23, 1986

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission.

(sig) Gary L. Sonntag
(TYPED)

Gary L. Sonntag
Official Reporter

Reporter's Affiliation