

ORIGINAL
UNITED STATES
NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:

DOCKET NO: 50-456 OL
50-457 OL

COMMONWEALTH EDISON COMPANY

(Braidwood Station, Units 1 and 2)

LOCATION: CHICAGO, ILLINOIS

PAGES: 13553 - 13677

DATE: MONDAY, OCTOBER 6, 1986

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

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In the Matter of: :
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COMMONWEALTH EDISON COMPANY : Docket No. 50-456
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(Braidwood Station, Units 1 :
and 2) :
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Page: 13,553 - 13677
United States District Court House
Courtroom 1919
Chicago, Illinois 60604
Monday, October 6, 1986

The hearing in the above-entitled matter reconvened
at 2:00 P. M.

BEFORE:

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

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

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

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APPEARANCES:

On behalf of the Applicant:

MICHAEL I. MILLER, ESQ.
PHILIP P. STEPTOE, III, ESQ.
Isham, Lincoln & Beale
Three First National Plaza
Chicago, Illinois 60602

On behalf of the Nuclear Regulatory
Commission Staff:

GREGORY ALAN BERRY, ESQ.
ELAINE I. CHAN, ESQ.
U. S. Nuclear Regulatory Commission
7335 Old Georgetown Road
Bethesda, Maryland 20014

On behalf of the Intervenor:

ROBERT GUILD, ESQ.

CROSS EXAMINATION (Continued)
BY MR. GUILD:

13559

EXHIBIT INDEX	MARKED	RECEIVED
Intervenors' Exhibit No. 153	13568	13585
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1 JUDGE GROSSMAN: The hearing is reconvened.
2 This is the 69th day of hearing.
3 We concluded on Friday with Mr. Guild cross
4 examining.

5 I understand now that there are some corrections to
6 some of the testimony, so we'll have that, Mr. Steptoe,
7 first.

8 MR. STEPTOE: Dr. Kaushal, would you identify
9 your first correction?

10 A (WITNESS KAUSHAL) Yes, Mr. Steptoe.

11 Mr. Chairman, over the weekend, I had a chance to
12 look at the documentation pertaining to the time when I
13 was appointed or assigned the responsibilities as
14 Director of BCAP, and that date happens to be May 7,
15 1984.

16 In my earlier testimony, I could not recall the
17 exact time, my memory was hazy, and I indicated it was
18 some time around March.

19 It turns out that I was on site in March, but not
20 in that capacity.

21 JUDGE GROSSMAN: Were you working on the CSR
22 program or whatever the forerunner name of the program
23 was when you came on site?

24 A (WITNESS KAUSHAL) Your Honor, I had some involvement

1 as in an assisting fashion on an effort that was going
2 on to put together a program at that time.

3 JUDGE GROSSMAN: From the beginning when you
4 first came on site, then, at some time during March?

5 A (WITNESS KAUSHAL) Mr. Chairman, the responsibilities
6 kind of gradually went in.

7 I was at that time in the engineering department,
8 project engineering department, and was asked to go to
9 site to participate in some of the meetings, and then
10 gradually I got involved in it.

11 So there's no well-defined period of time that I
12 can identify at which my responsibilities were described
13 when this program started.

14 JUDGE GROSSMAN: Okay.

15 So basically you were somewhat involved, but you
16 really didn't have responsibility up until May?

17 You were somewhat involved beginning some time in
18 March --

19 A (WITNESS KAUSHAL) Yes, sir.

20 JUDGE GROSSMAN: -- until you were formally
21 given the position in May?

22 A (WITNESS KAUSHAL) Yes, sir.

23 JUDGE GROSSMAN: Okay, fine.

24 What's the other correction, then?

1 MR. STEPTOE: Judge Grossman, the second
2 correction deals with Intervenor's Exhibit No. 150.

3 I don't think it's something that Dr. Kaushal said,
4 but it's an error in the exhibit.

5 That is, the cover page is a September 12, 1985,
6 memo, BCAP Memo 3368, the subject is invalidation of
7 observation, and the correction pertains to the last
8 memo in this document, Page B0011613, a September 5,
9 1985, memo, BCAP Memo 3240.

10 Dr. Kaushal, could you explain what the correction
11 is?

12 A (WITNESS KAUSHAL) Yes, I will, Mr. Steptoe.

13 Mr. Chairman, the memorandum is from Messrs. Orlov,
14 Shay and Patel to myself.

15 In the last paragraph on the first page of that
16 memo, the second line, the sentence says, "For cable pan
17 hangers, only 2 of 138 CSR sample hangers had
18 unavailable inspection forms." That didn't sound to me
19 right.

20 Over the weekend, I asked Mr. Wozniak to look
21 through the records; and it turns out that there were 13
22 additional CSR sample hangers that did not have
23 unavailable inspection forms, but on which the original
24 preparer inspector had, in fact, acknowledged and

1 agreed.

2 So the 2 -- No. 2 that is represented here is
3 apparently the 2 observations on which his
4 acknowledgement signatures did not exist.

5 MR. STEPTOE: So, Dr. Kaushal, just to nail it
6 down, 15 out of 138 CSR sample hangers had BCAP
7 observations which were invalidated for this reason?

8 A (WITNESS KAUSHAL) For this reason, for unavailable
9 inspection forms.

10 Now, there were other configuration inspection --
11 there were other observations relating to lack of
12 configuration inspection forms which were also valid, so
13 this is not the totality of the observations relating to
14 lack of configuration inspection documentation.

15 JUDGE GROSSMAN: Fine.

16 Mr. Guild, you are still cross examining, so you
17 can explore this area further, if you wish.

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

19 CROSS EXAMINATION

20 (Continued)

21 BY MR. GUILD:

22 Q Dr. Kaushal, let's start with the last clarification
23 first.

24 Let me just see if I can restate what I understood

1 from your explanation.

2 There are a total of 15 cable pan hanger sample
3 items for which there were no inspection forms
4 identified?

5 A (WITNESS KAUSHAL) In some form or another, there would
6 be an observation relating to lack of configuration
7 documentation.

8 Q And of those, 13 of those observations were deemed
9 valid?

10 A (WITNESS KAUSHAL) No, sir, that's not what I said.
11 Out of those, 13 were invalid, but the original
12 preparer acknowledged the invalidation and did not
13 object.

14 Q All right, sir.

15 So you had two objections, and that's the two that
16 you -- or Messrs. Orlov, Shay and Patel listed in this
17 memo to you?

18 A (WITNESS KAUSHAL) That's correct.

19 JUDGE GROSSMAN: Excuse me.

20 Does that mean that, in the prior sentence, 41 of
21 130 were objected to, unavailable configuration
22 inspection forms?

23 A (WITNESS KAUSHAL) That is correct, your Honor.

24 Mr. Wozniak, also at my request, checked those

1 ones, and those are the only 41 that we could
2 identify -- namely, there are no others on which he
3 objected -- and there are none on which he did not
4 object on that reason, also, in the --

5 JUDGE GROSSMAN: Oh, well, that's what I was
6 asking.

7 So the 41 is the total?

8 A (WITNESS KAUSHAL) Yes, sir, to the best of our
9 knowledge, that's correct.

10 JUDGE GROSSMAN: Okay.

11 BY MR. GUILD:

12 Q Let me be sure.

13 All of the 41 or conduit hanger invalidations were
14 objected to?

15 A (WITNESS KAUSHAL) I believe that's correct, if that's
16 the number.

17 The number should be back in here, and that's the
18 number.

19 Q But to the best of your knowledge, whatever that total
20 is, all of them were objected to, conduit hanger
21 invalidations?

22 A (WITNESS KAUSHAL) That's correct, yes, sir.

23 Q Dr. Kaushal, did the same CSR inspector review all of
24 the 15 cable pan hanger items for documentation?

1 A (WITNESS KAUSHAL) Yes, sir.

2 Q So that inspector agreed with the invalidation of 13,
3 but disagreed with the invalidation of 2?

4 A (WITNESS KAUSHAL) Yes, sir.

5 Actually, there is a little more to that story. We
6 thought that he disagreed with those two. By the time
7 those two were to be processed, he had left the site;
8 but we wanted to make sure that we don't gloss over
9 that, because we had knowledge that he had objected, so
10 we put that on record, that he had objected.

11 Q All right, sir.

12 What distinguishes the 2 from the 13 others? What
13 was the basis for his objection to the 2 and not
14 objecting to the other 13?

15 A (WITNESS KAUSHAL) I do know know that, Mr. Guild.

16 Q Can anybody else on the panel answer that question?

17 A (WITNESS WOZNIAK) No, sir.

18 Q Was the basis for his objection to two documented either
19 on the observation forms or elsewhere?

20 A (WITNESS KAUSHAL) I could not see any specific
21 objection stated on the form.

22 Q Mr. Wozniak?

23 A (WITNESS WOZNIAK) Excuse me?

24 Q Are you aware of any documentation of the basis for the

1 objection to the invalidation of the two?

2 A (WITNESS WOZNIAK) There is nothing indicated on the
3 observations, you know, relevant to his, you know,
4 disagreeing with the determination of the invalidity; is
5 that the question?

6 Q Yes.

7 A (WITNESS WOZNIAK) There was nothing so stated, no, sir.

8 Q What, if anything, distinguishes the circumstances of
9 the invalidation of the 13 from the 2, if anything?

10 A (WITNESS WOZNIAK) I would not have an opinion.

11 Q Dr. Kaushal?

12 A (WITNESS KAUSHAL) We don't know the answer to that.

13 The only thing we could do would be speculation,
14 and that wouldn't be appropriate.

15 Q All right, sir.

16 Now, what exactly was your position, Dr. Kaushal,
17 prior to May 7, 1984, but at a point when you had some
18 involvement in the design of the BCAP program?

19 A (WITNESS KAUSHAL) Mr. Guild, that will be pretty hard
20 to define.

21 We have to put it in context. I had come back from
22 my Clinch River assignment. I was assigned to project
23 engineering. In the project engineering, as I indicated
24 before, I had a short-term involvement with the Byron

1 inspector reinspection program.

2 Once that effort had been wrapped up in the form of
3 a report, I was asked to go down to Braidwood to
4 participate in discussions.

5 There was no -- at least I wasn't aware of any set
6 specific assignment type or otherwise in that respect.

7 Q Who did you work for at the time, Doctor?

8 A (WITNESS KAUSHAL) At that time I was reporting to, I
9 believe, Mr. Deress --

10 Q Can you spell his name, sir?

11 A (WITNESS KAUSHAL) D-E-R-E-S-S.

12 -- who reports to Mr. Shelton; and the reason I
13 mention that, because many time I, in this respect,
14 dealt with Mr. Shelton directly.

15 Q What position did Mr. Deress hold?

16 A (WITNESS KAUSHAL) Mr. Deress is the Project
17 Engineering Manager for Byron and Braidwood.

18 Q And that was his position at the time that you were
19 assigned to work down there?

20 A (WITNESS KAUSHAL) That was his position at that time,
21 also.

22 Q And what was Mr. Shelton's position?

23 A (WITNESS KAUSHAL) Shelton is -- Mr. Shelton is the
24 Projects, with an s, Engineering Manager, and I believe

1 that's his full title.

2 I am not absolutely certain.

3 Q Did anyone precede you as the director or senior person
4 in charge of the -- well, the precursor to the BCAP
5 program, Dr. Kaushal?

6 A (WITNESS KAUSHAL) For a short time before I took on
7 the directorship, I believe Mr. Shamblin had some
8 responsibility in that respect.

9 Q Well, what position did Mr. Shamblin hold with regard to
10 the precursor to BCAP?

11 A (WITNESS KAUSHAL) I believe at that time he was
12 Project Field Engineering Manager.

13 This was a task that he was working on. What his
14 specific task -- responsibility and title with respect
15 to this was, I am not knowledgeable of.

16 Q Okay.

17 This is Mr. Shamblin, who at some point had been
18 the Project Construction Superintendent?

19 A (WITNESS KAUSHAL) He is currently Project Construction
20 Superintendent.

21 Q He is currently Project Construction Superintendent?

22 A (WITNESS KAUSHAL) That's correct.

23 Q All right.

24 And so this was before he held that position?

1 A (WITNESS KAUSHAL) In fact, that's just prior to,
2 because my assumption of directorship coincided with his
3 becoming the Construction Superintendent.

4 Q I see.

5 MR. GUILD: Mr. Chairman, before we went in
6 session -- Mr. Chairman, before we went in session, I
7 distributed to the Board and parties a typed copy of
8 Intervenors' Exhibit 145. That's the tabular
9 representation of the CSR results by item and by weld.

10 I also committed to reproducing BCAP Observation
11 Record CSR CPH-001, which was one of the out of -- the
12 first out of scope cable pan hanger observation from the
13 NCR 6145. It was admitted and numbered as Intervenors'
14 Exhibit 151.

15 I'm going to distribute a copy of that at this
16 time.

17 JUDGE GROSSMAN: Okay. You've given the
18 Reporter Intervenors' Exhibit 145?

19 MR. GUILD: If I haven't, I'll make sure they
20 get one, Judge.

21 BY MR. GUILD:

22 Q Mr. Wozniak, before we recessed on Friday, you had
23 described part of the results of the conduit hanger
24 reverification program.

1 Do you recall that testimony, sir?

2 A (WITNESS WOZNIAK) Yes, sir.

3 Q And over the weekend -- this morning I was given a copy
4 of the reverification program report, and that was the
5 document that you had reference to on Friday when you
6 were searching for some answers to questions of mine
7 about the results of that program.

8 Do you recall that testimony?

9 A (WITNESS WOZNIAK) Yes, sir.

10 Q Now, I show you a document that, in part, the
11 reverification program, as I understand Dr. Kaushal's
12 testimony Friday, arose from concerns by the NRC -- or
13 NRC BCAP Inspector, Mr. Gardner; partly also arose by an
14 observation by the Independent Expert Overview Group,
15 ERC, did they not?

16 (Indicating.)

17 A (WITNESS WOZNIAK) That is correct.

18 Q And I want to show you a copy of ERC Observation 11 and
19 ask if you can identify that as the ERC observation that
20 was the basis for the conduit hanger reverification
21 program.

22 (Indicating.)

23 A (WITNESS WOZNIAK) Mr. Guild, this observation here is,
24 in fact, part of the NRC report dated -- I believe it's

1 8603, and this is, in fact, one of the factors
2 contributing to the midpoint look that Dr. Kaushal had
3 directed into the conduit hanger program.

4 MR. GUILD: All right, sir.

5 Mr. Chairman,, I'd ask this document be marked as
6 Intervenors' Exhibit -- I believe it's 153 for
7 identification.

8 JUDGE GROSSMAN: Correct.

9 (The document was thereupon marked

10 Intervenors' Exhibit No. 153 for

11 identification as of October 6, 1986.)

12 BY MR. GUILD:

13 Q Now, in your reverification plan for conduit hangers, it
14 was specified that the conduit hanger reverification
15 would be limited in scope to the attributes that were
16 the subject of the ERC Observation No. 11; is that
17 correct?

18 A (WITNESS WOZNIAK) That is correct.

19 Q In particular, I'm reading from Item 1 in your
20 reverification plan. "Inspection attributes outside the
21 scope of the ERC concerns are not addressed in this
22 plan."

23 And that is a correct understanding of the way
24 that reverification program was implemented as well?

1 It was limited to the ERC-identified attributes;
2 correct?

3 A (WITNESS WOZNIAK) That is -- to the best of my
4 knowledge, yes.

5 I don't have a copy of the plan in front of me per
6 se.

7 Q All right, sir, let me show you the document.

8 (Indicating.)

9 Directing your attention to a document entitled,
10 "Reverification Plan, Electrical Conduit Hangers," the
11 last sentence the first numbered paragraph.

12 (Indicating.)

13 A (WITNESS WOZNIAK) That is correct.

14 Q Let's look at some of those attributes, Mr. Wozniak.

15 Those attributes are reflected, are they not, in
16 what's been marked as Intervenors' Exhibit 153; that is,
17 the ERC observation report?

18 The first attribute is identified as Attributes 3d.
19 That's on the face of the observation form itself.

20 Do you have that before you?

21 A (WITNESS WOZNIAK) No, sir, I don't.

22 Q I should have left you a copy.

23 You have Intervenors' Exhibit 153 before you?

24 A Oh,, the observations?

1 Q Yes, sir.

2 A (WITNESS WOZNIAK) I'm sorry.

3 Q Look at the face of the observation report, the first
4 cover page, not the transmittal letter.

5 You see attribute 3d identified there?

6 A (WITNESS WOZNIAK) Yes, sir.

7 Q All right, sir.

8 Conduit Hanger 03, Sample Item 03.

9 In this case, the inspector marked the attribute
10 acceptable but the ERC determined that it, the
11 attribute, was not applicable to that CSR inspection;
12 correct?

13 A (WITNESS WOZNIAK) That is what the observation states,
14 yes.

15 Q Did you agree that that was the condition?

16 A (WITNESS WOZNIAK) The results would be documented on
17 the reverification plan.

18 I don't have a copy of the results as we reverified
19 it; but that is, in fact, the way the observation
20 states.

21 Q All right, sir.

22 Well, do you generally -- do you know whether or
23 not you confirmed the accuracy of the ERC findings with
24 respect to the specific items that the ERC reported in

1 its Observation 11?

2 A (WITNESS WOZNIAK) Yes, sir.

3 Q You did.

4 Generally you confirmed their findings?

5 A (WITNESS WOZNIAK) Well, our Lead Inspector, Mr. Shay,
6 at the time of the occurrence, was involved in doing
7 that validation, if you will, of the ERC concerns; but
8 those results are, again, documented in the response to
9 the ERC observations.

10 Q Yes.

11 Well, I'd be happy to show you the whole document,
12 if it would help to -- help you answer the question and
13 refresh your recollection.

14 But are you aware, as you sit here today, whether
15 generally you confirmed the accuracy of the ERC findings
16 on the specific items and attributes that are documented
17 in Observation 11?

18 A (WITNESS WOZNIAK) Yes, we did.

19 Q Okay.

20 The second item is Attributes 2f, and, again -- and
21 there, conversely, the BCAP CSR inspector indicated the
22 attribute was not applicable when the item, in fact,
23 should have been inspected?

24 A (WITNESS WOZNIAK) That's what the observation states,

1 yes.

2 Q All right, sir.

3 For the third attribute, the second sample item,
4 Conduit Hanger 12, again, the CSR inspector indicated
5 the attribute was not applicable; ERC determined that it
6 should have been inspected?

7 A (WITNESS WOZNIAK) That's what it states, yes.

8 Q All right.

9 The third attribute -- or the -- strike that.

10 Item 2b, Attributes 3f, the CSR inspector indicated
11 that the item or the attribute was acceptable when it
12 should have been not applicable?

13 A (WITNESS WOZNIAK) That is what the observation states,
14 yes.

15 Q All right.

16 2c, a discrepant condition had not be properly
17 identified by the CSR inspector?

18 A (WITNESS WOZNIAK) That is correct.

19 Mr. Guild, you will also notice Items 2b and 2c
20 I've addressed in my prefiled testimony, too, I believe.

21 Q Okay.

22 Those are the ones you mention as examples of the
23 findings --

24 A (WITNESS WOZNIAK) Yes, sir.

1 Q -- in your testimony?

2 All right, sir.

3 The third item, Conduit Hanger 20, 3a, Attributes
4 2f, and there the CSR inspector improperly indicated the
5 attribute was not applicable; ERC determined that it
6 should have been inspected?

7 A (WITNESS WOZNIAK) Yes.

8 Q 3b, the CSR inspector improperly indicated that the item
9 was acceptable when it was not applicable?

10 A (WITNESS WOZNIAK) Correct.

11 Q And finally, for 3c, again, the CSR inspector improperly
12 failed to document a discrepant condition?

13 A (WITNESS WOZNIAK) Yes.

14 Q All right.

15 A (WITNESS WOZNIAK) Mr. Guild, you will note -- or you
16 will recall that item or Attribute 3c of the observation
17 report we had discussed before as being part of my
18 testimony.

19 That was the condition involving the verification
20 of the identity of the conduits not as much as there
21 were conduits installed.

22 (Indicating.)

23 Q All right, sir. That's helpful.

24 Now, the reverification plan called for, first, the

1 rereview of all of the packages for CSR conduit hangers
2 accepted prior to January 24, 1985; correct?

3 A (WITNESS WOZNIAK) Correct.

4 Q All right.

5 Now, the rereview of the packages is not the same
6 as a reinspection in the field?

7 A (WITNESS WOZNIAK) That is not, that is correct.

8 Q All right, sir.

9 "The rereview of the packages shall consist of a
10 comparison of hardware design configuration versus the
11 configuration indicated by acceptance/rejection or NA of
12 the reinspection checklist attributes."

13 I just read from the plan.

14 That's what the reverification consisted of --

15 A (WITNESS WOZNIAK) Correct.

16 Q -- correct?

17 All right. Again, inspection attributes that are
18 outside the scope of the ERC concerns are not addressed
19 in the plan.

20 So you didn't look at any other attributes beyond
21 what ERC identified in Observation 11?

22 A (WITNESS WOZNIAK) That is correct.

23 Q All right, okay.

24 Now, the first point at which, under the plan, any

1 actual field reinspection takes place is only in the
2 instances where, upon the rereview of the documentation
3 packages -- again I'm quoting from the plan --
4 "Attributes determined to be erroneously recorded as NA
5 shall be reverified by field inspection of the
6 hardware"?

7 A (WITNESS WOZNIAK) Correct.

8 Q And those are the cases where you actually went out to
9 the field?

10 A (WITNESS WOZNIAK) Correct.

11 Q All right, sir.

12 You, for those instances, would complete another
13 checklist -- or a checklist, correct, a reverification
14 checklist?

15 A (WITNESS WOZNIAK) The checklist that was developed for
16 reverification plans, yes, sir.

17 Q All right.

18 A specific checklist for reverification?

19 A (WITNESS WOZNIAK) Yes.

20 Q Not the same checklist that was used by the CSR
21 inspectors for the original conduit hanger inspections?

22 A (WITNESS WOZNIAK) Correct.

23 Q Okay.

24 If an observation is made on the basis either of

1 the reverification of the packages or through the field
2 reinspection in the instances where there had been an
3 improper NA of an attribute, in those instances an
4 observation would be initiated?

5 A (WITNESS WOZNIAK) That would be correct.

6 Q All right.

7 But before an observation was initiated under the
8 Level III program -- I'm sorry -- under the
9 reverification program, there was a requirement that a
10 Level III Inspector review the field condition; correct?

11 A (WITNESS WOZNIAK) I'm not aware of that, that the Level
12 III Inspector per se --

13 Q "Attributes determined to be erroneously accepted rather
14 than NA shall be corrected after evaluation by the Level
15 III Inspector."

16 A (WITNESS WOZNIAK) To me that means that could be
17 accomplished by a review of the reverification results
18 and not necessarily a trip to the field for
19 reinspection.

20 Q All right, sir.

21 So that's a document review by the Level III?

22 A (WITNESS WOZNIAK) A comparison or rereview of the
23 design as stated earlier in your -- in the paragraphs,
24 review of the design requirements compared to the

1 there's a table of the items that were reviewed, and Mr.
2 Wozniak --

3 MR. STEPTOE: Bob --

4 BY MR. GUILD:

5 Q -- the table, again, attached to the results lists 51
6 items; correct?

7 A (WITNESS WOZNIAK) Correct.

8 MR. STEPTOE: Could you identify what you are
9 showing to the witness?

10 MR. GUILD: Yes.

11 This is the document entitled, "Reverification
12 results," part of the reverification program report.

13 MR. STEPTOE: Okay.

14 Thank you.

15 BY MR. GUILD:

16 Q And those 51 items are the total number of items that
17 were reviewed as part of the reverification program for
18 conduit hangers?

19 A (WITNESS WOZNIAK) The 51 packages that had been
20 completed up to that point where Dr. Kaushal had taken
21 the midpoint look, yes.

22 Q Okay.

23 Now, what's the significance of the column that
24 reads, "Observation initiated and number," and an

1 indication by several of those 51 items that there -- of
2 observation numbers?

3 A (WITNESS WOZNIAK) That appears to be an entry whereby
4 an observation was written as a result of the
5 reverification program.

6 Q All right, sir.

7 Pursuant to the program plan that we were just
8 discussing, the initiation of a new observation as a
9 result of the reverification program?

10 A (WITNESS WOZNIAK) Yes.

11 Q All right.

12 And for how many items were there, then, new
13 observations initiated as a result of the observation
14 program?

15 A (WITNESS WOZNIAK) I believe there were seven. Yes,
16 seven new observations were initiated.

17 Q All right.

18 Seven new observations, but in only five -- in five
19 items?

20 A (WITNESS WOZNIAK) In five item packages, yes.

21 Q All right.

22 And that 5, that number 5, is the number 5 you gave
23 me on Friday when I asked you the question about how
24 many field inspections were conducted under the

1 reverification program?

2 A (WITNESS WOZNIAK) I believe so.

3 MR. GUILD: Mr. Chairman, I would ask that
4 Intervenors' 153, ERC Observation 011, be received in
5 evidence.

6 JUDGE GROSSMAN: Any objection?

7 MR. STEPTOE: Yes, Judge Grossman.

8 In the first place, the ERC Observation No. 11 is
9 incomplete, and there's a close-out letter from ERC
10 dated in February, which belongs -- dated February 21,
11 1985, which states that the observation is considered
12 closed.

13 Second, I have potential hearsay problems here.

14 I don't have a problem if the whole document is
15 going in, but if -- but it is hearsay as to Applicant,
16 because ERC was an independent agency; but if the whole
17 document goes in, then I don't have a problem.

18 What I don't want is to be whipsawed where Mr.
19 Guild puts in the document identifying the problem and
20 then I can't get in the rest of the document identifying
21 that it was closed out.

22 MR. GUILD: Well, Mr. Chairman, this really
23 is an admission against Applicant.

24 The status of ERC as retained by Commonwealth

1 Edison Company to perform the functions it performed
2 under the BCAP program clearly makes them an agent of
3 Commonwealth Edison Company for purposes of performing
4 the functions under the BCAP program.

5 It really, I think -- as I understand the Board's
6 approach to the question of admissions, I think this is
7 highly appropriate as an example of an instance where it
8 is proper and fair that a document of this sort come in
9 through Intervenors as an admission, and prompt the
10 obligation on the part of Applicant, if they deem there
11 is something adverse, to respond.

12 It shouldn't be an obligation of Intervenors to
13 call Mr. Hansel as a witness in order to get a document
14 in that really came by way of Applicant as a discovery
15 document; classic admissions.

16 Now, as to the question of completeness, this is
17 the form in which it was given to me as part of the
18 reverification program.

19 If there is, indeed, a close-out letter -- I don't,
20 obviously, quarrel with Mr. Steptoe's representation
21 that there is. I haven't seen it. I'd be happy to look
22 at it. It may or may not be appropriate to include by
23 way of an offer by Applicant.

24 But I really offer the ERC observation itself

1 because it was the basis for the reverification program
2 to which this witness has testified -- Mr. Wozniak and
3 the rest of the panel members have testified.

4 That's my only obligation. It's an admission and
5 it's appropriately admitted that way.

6 JUDGE GROSSMAN: Mr. Steptoe, why do you
7 think you are going to have trouble getting the closing
8 letter in?

9 MR. STEPTOE: Well, I don't have a witness
10 from ERC presently scheduled.

11 Now, it is true that Mr. Laney is coming along, and
12 I suppose if I were allowed to use Mr. Laney to get the
13 closing letter in, I could do that, but I think Mr.
14 Guild would object, if I put the ERC conclusions in, as
15 hearsay, and would require me -- it seems to me this
16 situation is exactly analogous to the NRC Inspection
17 Report -- in fact, NRC Inspection Report -- I think it's
18 8082 was also the basis for conducting the
19 reverification program, and the Board has already ruled
20 that sponsoring witnesses are necessary to put in NCF's.

21 The ERC was an independent agency; and I think the
22 issue was well joined between myself and Mr. Guild.

23 JUDGE GROSSMAN: It was an independent agency
24 retained by Applicant?

1 Refresh my recollection as to what ERC was.

2 I assume that this is in the record, and, of
3 course, what you are telling me is not evidence; but go
4 ahead, Mr. Steptoe.

5 MR. STEPTOE: That's correct.

6 The Independent Expert Overview Group, which
7 functioned primarily through a company called ERC, was a
8 fact -- was an element of the BCAP program.

9 There was a protocol which said that any findings
10 or draft findings of the Independent Expert Overview
11 Group should be submitted to the NRC at the same time as
12 to the Applicant, and, in fact, I believe the IEOG or
13 ERC acted as essentially a supplement to the NRC in
14 inspecting the BCAP program, and it certainly, as Dr.
15 Kaushal has already testified, was regarded as an
16 independent agency.

17 Let me just read to you from, oh, a description of
18 the group, which appears in -- I guess it's the BCAP --

19 JUDGE GROSSMAN: Well, I don't think you have
20 to go further on that.

21 As far as we're concerned, it appears as though the
22 BCAP program is a creation of Commonwealth Edison, and
23 anything connected with it is going to go in.

24 My only problem was with the completeness and the

1 fact that you might have a problem getting the closing
2 letter in.

3 I don't think you are going to have that problem;
4 and I think we'll face that when you offer that, which
5 isn't right now, but when you redirect the witnesses.

6 I just don't see that the conclusions are going to
7 be -- that the fact that certain conclusions were made
8 is going to be excludable, so I just don't see a problem
9 on that.

10 As far as admissions go, I think this qualifies as
11 an admission; and as you are aware -- well, I don't know
12 that the closing letter is really part of the document.

13 If it were, you certainly wouldn't have any problem
14 getting it in.

15 With admissions, you can always bring in another
16 part of the document; but I just don't see that the
17 results, even in another document, would be excludable
18 once we have this in, so we are going to -- do you have
19 an objection, Mr. Berry?

20 MR. BERRY: No, the Staff has no objection,
21 Mr. Chairman.

22 JUDGE GROSSMAN: Okay. So we'll admit
23 Intervenor's 153.

24 (The document was thereupon received into

1 evidence as Intervenors' Exhibit No.
2 153.)

3 BY MR. GUILD:

4 Q Now, Mr. Wozniak, are you familiar with the principles
5 of Appendix B of the Commission's regulations, 10 CFR
6 Part 50, the quality assurance criteria -- the principle
7 of appropriate corrective action for identified
8 non-conforming conditions?

9 A (WITNESS WOZNIAK) Yes.

10 Q Are you familiar with the principle that when a
11 non-conforming condition is identified that is of
12 significance, that it is required that a review be made
13 of that non-conforming condition to determine whether or
14 not its existence has generic implications?

15 A (WITNESS WOZNIAK) Yes.

16 Q And as part of such a review, are you familiar with the
17 principle that one is called upon to identify the root
18 cause of such a non-conforming condition?

19 A (WITNESS WOZNIAK) That's part of the review, yes.

20 Q In the instance of the identified deficiencies with
21 regard to the CSR electrical inspections, those
22 deficiencies identified by the ERC and by Mr. Gardner,
23 the NRC Inspector, Mr. Wozniak, did you perform any
24 review for generic implications or root cause?

1 A (WITNESS WOZNIAK) No, I did not.

2 Q All right, sir.

3 It follows, therefore, Mr. Wozniak, that you cannot
4 state whether or not the deficiencies that were
5 identified by the ERC in the electrical CSR inspections
6 or by Mr. Gardner, the NRC Inspector -- whether or not
7 those deficiencies did have generic implications?

8 A (WITNESS WOZNIAK) Mr. Guild, it would be my opinion
9 that, due to the close out of the NRC report, that those
10 conditions had been evaluated and that the subject
11 concerned was found to be of satisfactory stature.

12 Q Evaluated apparently by Mr. Gardner of the NRC?

13 A (WITNESS WOZNIAK) Yes.

14 Q All right, sir.

15 Now, Mr. Smith, on behalf of BCAP QA, what role did
16 BCAP QA have in the identification of the CSR
17 discrepancies that were the basis for the midpoint look?

18 A (WITNESS SMITH) I don't know.

19 Q All right, sir.

20 Did BCAP QA perform any review of the discrepancies
21 identified by CSR -- I'm sorry -- by ERC, the
22 Independent Expert Overview Group, or by Mr. Gardner,
23 the NRC Inspector -- did BCAP QA perform any review for
24 root causes or generic implications?

1 A (WITNESS SMITH) This was very early in the program, so
2 I'm not really sure what you are asking me.

3 MR. GUILD: Well, is that because you don't
4 know the answer or you can't recall or because I've said
5 something that you don't understand?

6 A (WITNESS SMITH) Well, you are asking me, did I check on
7 whether or not the NRC and ERC was doing their job?

8 MR. GUILD: No, sir, that wasn't the question.
9 Would you like the question read back?

10 A (WITNESS SMITH) I'm having a hard time understanding
11 your question, sir.

12 MR. GUILD: Would you like the question read
13 back to you, sir?

14 A (WITNESS SMITH) Fine.

15 MR. GUILD: Could I ask that the last
16 question be read back, Mr. Chairman?

17 JUDGE GROSSMAN: Sure.

18 (The question was thereupon read by the
19 Reporter.)

20 A (WITNESS SMITH) At the time, all we were aware of was
21 what the NRC and ERC was doing.

22 We did not attempt to perform their work for them.

23 BY MR. GUILD:

24 Q All right, sir.

1 The answer is no, you did not perform such a
2 review?

3 A (WITNESS SMITH) We were aware, we discussed it with
4 them, but we did not try to perform any generic
5 evaluations for them.

6 Q You did not perform any such review yourself?

7 A (WITNESS SMITH) No, sir, we did not.

8 Q Did BCAP QA review the midpoint look, in particular in
9 the electrical area, the reverification program that was
10 conducted, to determine whether the corrective action
11 taken was of sufficient scope to fully address the
12 problem and its generic implications?

13 A (WITNESS SMITH) I could not say that I remember.

14 Q Now, Mr. Smith, the BCAP -- QA arm of BCAP and the BCAP
15 Task Force had a formal process for communication where
16 BCAP QA identified matters of concern.

17 And is it correct that you used a device called an
18 Action Information Request, an AIR, as a means for
19 addressing questions to the BCAP Task Force?

20 A (WITNESS SMITH) That was one of other means, yes.

21 Q Does that fairly describe what an AIR is?

22 Or maybe you should tell me what an AIR is.

23 A (WITNESS SMITH) The AIR is -- if we felt that there was
24 a potential problem but there wasn't necessarily one, it

1 was a way of asking questions to get formal responses.

2 Q Okay.

3 In the areas where there may be a potential
4 problem?

5 A (WITNESS SMITH) Where there was a potential problem.

6 Q All right, sir.

7 I want to ask you about AIR-09, Mr. Smith.

8 I show you a package of documents on that subject.

9 (Indicating.)

10 I apologize they are somewhat out of order, but
11 perhaps you can help us walk through them.

12 JUDGE GROSSMAN: Excuse me.

13 Let's go off the record for a second.

14 (There followed a discussion outside the
15 record.)

16 JUDGE GROSSMAN: Let's go back on.

17 MR. STEPTOE: Judge Grossman, he did not
18 receive AIR-09 just recently. He had it in March, and
19 asked Mr. Gardner about it -- he asked Mr. Mr. Gardner
20 about it in March in the deposition.

21 MR. GUILD: Well, that's not true of the
22 document I just examined from, Mr. Chairman.

23 JUDGE GROSSMAN: No, I have no idea what he's
24 going to ask about the March 19, 1985, document, Mr.

1 Steptoe, so let's proceed.

2 BY MR. GUILD:

3 Q All right, sir.

4 Now --

5 MR. GUILD: Back on the record, Mr. Chairman?

6 JUDGE GROSSMAN: Yes, continue.

7 BY MR. GUILD:

8 Q -- the documents that I've given you are somewhat out of
9 order.

10 If you look at the last page of the document --
11 last two pages of the document, there's a form, Mr.
12 Smith, and is that -- well, it says, "Action Item
13 Request."

14 Is this what an AIR is?

15 A (WITNESS SMITH) Yes, sir.

16 Q And I take it this is an AIR that you initiated, and you
17 directed it to Mr. Kaushal, the BCAP Director?

18 A (WITNESS SMITH) One of my QA engineers, Phillip A. Lau,
19 initiated it and I approved it.

20 Q And you approved it?

21 A (WITNESS SMITH) Yes.

22 Q All right, sir.

23 Now, the item is described as follows: quote,
24 "Provide the basis for below inconsistency and provide

1 correction to prevent the recurrence of using outdated
2 revision of the procedure used as a source."

3 Item 2, quote, "Provide justification for not using
4 the revision in use at the time of construction or
5 document completion. (Contractor)"

6 Now, this AIR spawned a debate between BCAP QA and
7 the BCAP Task Force on what the design requirements were
8 that would be applicable to the CSR element of BCAP;
9 correct?

10 A (WITNESS SMITH) Your question?

11 Q Did you just hear the question?

12 A (WITNESS SMITH) I -- I -- you said this spawned a
13 debate?

14 Q This spawned a debate, did it not, sir, on the
15 appropriate design requirements to apply to the CSR
16 element of BCAP?

17 A (WITNESS SMITH) There was a discussion of design
18 requirements, yes.

19 Q And that discussion of design requirements arose in
20 response to AIR-009?

21 A (WITNESS SMITH) Or the other way around. I mean,
22 our -- our desire to debate the issue was documented in
23 AIR-009.

24 009 did not cause us to want to debate.

1 Q Understood.

2 This documents the debate that you had on that
3 subject?

4 A (WITNESS SMITH) That is correct, this documents it.

5 Q All right, sir, all right.

6 Now, you approved this AIR on the specific subject
7 involving the use of a Comstock -- L. K. Comstock --
8 procedure for purposes of checklist preparation;
9 correct?

10 A (WITNESS SMITH) Which memo specifically are you
11 referring to?

12 Q Again, looking at the text of BCAP AIR-009.

13 The specific case --

14 A (WITNESS SMITH) Correct.

15 Q -- that prompted the AIR was the use of an older
16 Comstock procedure than was in effect at the time of the
17 checklist preparation?

18 A (WITNESS SMITH) That is correct.

19 Q All right.

20 But the question that you were asking was more
21 generic, was it not, and had to do with what the
22 appropriate design requirements more generally should be
23 under BCAP?

24 A (WITNESS SMITH) That's correct.

1 Q All right.

2 Now, what was the -- what specifically were you
3 asking the BCAP Task Force to do by way of this AIR?

4 A (WITNESS SMITH) To provide their basis for picking the
5 checklist and requirements that they were picking.

6 Q Okay.

7 Now, the AIR bears a date of February 1, 1985?

8 A (WITNESS SMITH) Correct.

9 Q And what was the required turnaround time for a response
10 to an AIR?

11 A (WITNESS SMITH) There was no specific turnaround time.
12 It was whatever I deemed necessary.

13 I think I put a five-day turnaround on it, a week.

14 Q All right.

15 And can you show us where that appears? Is there
16 a place --

17 A (WITNESS SMITH) Box 12, "Response Due Date."

18 Q All right.

19 Did you get a response the 6th of February, as you
20 requested?

21 A (WITNESS SMITH) No, sir.

22 Q Okay.

23 In fact, you had to write Dr. Kaushal on the 8th of
24 February and tell him that the response was overdue?

1 A (WITNESS SMITH) That's correct.

2 Q All right.

3 Did you get a response thereafter to -- after
4 reminding them that it was overdue?

5 A (WITNESS SMITH) The next page forward in your package
6 is a February 15th memo, 686 --

7 Q Asking for an extension of time to respond?

8 A (WITNESS SMITH) That's correct.

9 Q And did you get a response to your AIR by that extended
10 response time of February 22nd?

11 A (WITNESS SMITH) It appears so.

12 Q Well, didn't you have to write Dr. Kaushal again on the
13 25th of February?

14 A (WITNESS SMITH) No. We received a response to AIR-009
15 on 2/21/85, and then on 2/22/85 the originator of the
16 document felt that the response he received was
17 unsatisfactory, and on 2/25 an additional memo was
18 forwarded to Dr. Kaushal.

19 Q All right, sir.

20 So you had to seek an additional response.

21 Now, the document that appears to be the initial
22 response, that bears a Bates Stamp Number of B11139,
23 does it not? It's entitled, "Response to BCAP QA
24 AIR-009"?

1 A (WITNESS SMITH) What's the number?

2 Q B0011139.

3 A (WITNESS SMITH) 37.

4 Q I'm looking at 39; but, yes, indeed, that's another copy
5 of it.

6 That's the first response; correct?

7 A (WITNESS SMITH) Yeah, the first response was 37.

8 Q All right.

9 Now, what about the first response was deemed
10 unsatisfactory by either you or the initiator of the
11 AIR?

12 A (WITNESS SMITH) Well, excuse me.

13 It looks like 37 and 39 are the same.

14 Q Yes, it appears they are the same document.

15 A (WITNESS SMITH) Okay. Do I have a current question?

16 Q Yes, sir.

17 What was it about the initial response that was
18 deemed unsatisfactory by BCAP QA?

19 A (WITNESS SMITH) As stated in the February 25th memo, it
20 dealt with the accept/reject criteria.

21 It says, "Since Item 2 in the 'Description of
22 action requested' of AIR-009 was not responded to, we
23 will rephrase the question.

24 "The BCAP program document discusses construction

1 sample in terms of items Construction Sample
2 Reinspection in terms of items inspected prior to
3 6/30/84. Therefore, the use of design documents dated
4 after June 30, 1984, seems to be outside the program
5 commitments."

6 Q All right.

7 Then you rephrased the question?

8 A (WITNESS SMITH) It was rephrasing the question to get
9 into, "We would like you to justify the basis for your
10 CSR engineers not using the specifications, drawings and
11 other design documents which were in effect as of June
12 30, 1984."

13 Q All right, sir.

14 And instead, in this case, using a later
15 specification?

16 A (WITNESS SMITH) Using a later.

17 Q All right, sir.

18 Now, you received a response from the BCAP Task
19 Force to that request, and that was a March 5, 1985,
20 memo from Mr. Orlov to you?

21 A (WITNESS SMITH) Yes, sir.

22 Q With an attached explication entitled, "BCAP-CSR Element
23 Application of Latest Design Requirements to
24 Previously-Completed Work"?

1 A (WITNESS SMITH) Uh-huh.

2 Q All right.

3 You reviewed Mr. Orlov's memo, did you not?

4 A (WITNESS SMITH) That is correct.

5 Q And you responded on the 11th of March, raising further
6 questions on the issue of the appropriate design
7 requirements to apply to the BCAP CSR efforts?

8 A (WITNESS SMITH) Well, not -- I wouldn't say we were
9 raising further issues.

10 I think at this point we basically were in
11 agreement with what the task force was saying, but we
12 were trying to put it into some specific examples that
13 we could give to people as, "Here's some concrete
14 examples versus some nice words."

15 (Indicating.)

16 Q All right.

17 And so you set out a variety of cases that
18 represented your --

19 A (WITNESS SMITH) Interpretation.

20 -- interpretation of Mr. Orlov's description of the
21 issue of applicable design requirements?

22 A (WITNESS SMITH) Yeah.

23 And at this point, we were really very close
24 together on what we felt was appropriate.

1 Q You and Mr. Orlov?

2 A (WITNESS SMITH) Mr. Orlov and BCAP QA.

3 Q All right.

4 And you set out the cases by way of example, and
5 then asked that both Mr. Orlov, as the Assistant
6 Director, and Dr. Kaushal, as BCAP Director, endorse
7 your recitation of the exemplary cases?

8 A (WITNESS SMITH) That is correct.

9 Q All right, sir.

10 So that those cases could be used as guidance for
11 people who were performing the CSR element of BCAP?

12 A (WITNESS SMITH) That is correct.

13 And we had a number of discussions concerning our
14 examples and Mr. Orlov's memo of March 5th, and it was
15 pointed out to us that while our examples were nice
16 examples, they were clean cut; that there were a number
17 of minor things that had to be considered, and that
18 these would not be an encompassing set of examples.

19 To do so would be a very long and complex document,
20 so we gave up on it.

21 Q So neither Mr. Orlov nor Dr. Kaushal endorsed your
22 proposed examples of the application of the principles
23 of design requirements, appropriate design requirements;
24 correct?

1 A (WITNESS SMITH) They did not endorse it.

2 My understanding of their reason they were not
3 endorsing is it they were not a complete set of
4 examples.

5 Q All right, sir.

6 The fact is they didn't endorse your proposed
7 examples?

8 A (WITNESS SMITH) That is correct.

9 Q Nor did they endorse any examples of the application of
10 the design requirement principles that Mr. Orlov and you
11 agreed to?

12 A (WITNESS SMITH) They did not endorse the specific
13 examples, no.

14 Q All right.

15 Now, by the March 19th letter, you asked for
16 further clarification?

17 A (WITNESS SMITH) Basically definitions; and this was a
18 result of our meeting.

19 Q All right, sir.

20 And what response, if any, did you get to your
21 March 19th memo?

22 A (WITNESS SMITH) We received a response that provided
23 information upon which we closed out the AIR, if memory
24 serves me correctly.

1 Q All right, sir.

2 I don't believe that response is in the package
3 that I have here.

4 What does that response consist of?

5 A (WITNESS SMITH) I believe it provided specific words
6 for its various definitions.

7 Q All right,

8 And who prepared that response, sir?

9 A (WITNESS SMITH) What?

10 Q Who prepared that response, sir?

11 A (WITNESS SMITH) The task force.

12 Q Was it Mr. Orlov?

13 A (WITNESS SMITH) I am not sure if he did.

14 Probably.

15 MR. STEPTOE: Excuse me.

16 I have a copy of that, if you want it.

17 MR. GUILD: Yes, I would appreciate it.

18 BY MR. GUILD:

19 Q When you closed the AIR, Mr. Smith, did you, by that
20 action, agree with Mr. Orlov and Dr. Kaushal's
21 description of the appropriate design requirements for
22 the use under the BCAP program?

23 A (WITNESS SMITH) May I see what I -- refresh my memory
24 on the examples?

1 Q Sure.

2 I'm showing you an April 2, 85, document counsel
3 made available to me just now, your closure of the AIR.

4 (Indicating.)

5 A (WITNESS SMITH) And right below it is the March 25th,
6 which provides the specific definitions --

7 Q All right.

8 A -- he asked for.

9 Q And you accepted that explanation?

10 A (WITNESS SMITH) And I believe we closed the AIR on the
11 definitions plus the previous memo; that we had enough
12 words that we could then provide adequate guidance to
13 our QA engineers as to what was and was not acceptable
14 in the performance surveillances.

15 Q By the previous memo, you mean Mr. Orlov's memo that's
16 attached?

17 A (WITNESS SMITH) Yes, I believe it's 800. It's the
18 March 5, 1985, BCAP Memo 800.

19 Q That's Mr. Orlov's memo to you?

20 A (WITNESS SMITH) That's Mr. Orlov's memo.

21 MR. GUILD: Mr. Chairman, I don't have a
22 complete document of the document I've handed up; and
23 what I would like leave to do is to add the additional
24 Orlov response of March 25, 1985, to Mr. Smith and Mr.

1 Smith's memo closing out the AIR, and ask that the
2 entire set of documents be received in evidence.

3 JUDGE GROSSMAN: Okay.

4 We'll mark the entire document Intervenors' 154.

5 Do we have a full package for everyone, Mr.
6 Steptoe?

7 MR. STEPTOE: I believe so.

8 We can take the top three pages off the document I
9 gave him and give it to you, and then you will have the
10 complete -- I believe you will have the complete set.

11 MR. GUILD: I only have three copies, and I
12 appreciate Mr. Steptoe even having three; but what I
13 would like to do is make copies for the Board and
14 parties.

15 JUDGE GROSSMAN: Okay. We will take that
16 tomorrow, then. Fine.

17 I take it there's no objection to the admission of
18 the document?

19 MR. STEPTOE: No objection.

20 I'd like the opportunity to make sure it's the full
21 package; but no objection.

22 MR. BERRY: None from the Staff, Mr.
23 Chairman.

24 JUDGE GROSSMAN: Okay.

1 So we'll admit Intervenors' 154, and we'll receive
2 it for inclusion in the record tomorrow, though it's
3 received now.

4 (The document was thereupon received into
5 evidence as Intervenors' Exhibit No.
6 154.)

7 JUDGE GROSSMAN: Do you wish to take a recess
8 now, Mr. Guild?

9 MR. GUILD: No, sir, Mr. Chairman, that's
10 fine.

11 BY MR. GUILD:

12 Q Now, the policy that is reflected in the series of
13 documents relating to AIR-009 on the application of
14 design requirements to BCAP CSR, was that policy used in
15 passing on the validity of CSR observations?

16 A (WITNESS SMITH) Yes.

17 Q All right, sir.

18 And on the basis of the application of that policy,
19 certain CSR observations were deemed invalid?

20 A (WITNESS SMITH) Yes.

21 MR. GUILD: Mr. Chairman, I am going to begin
22 a new line, and if this is an appropriate time to take a
23 break, that's fine.

24 JUDGE GROSSMAN: Okay, fine.

1 We'll take 10 minutes.

2 (Whereupon, a recess was had, after the
3 hearing was resumed, as follows:)

4 JUDGE GROSSMAN: We're back in session.

5 MR. BERRY: Mr. Chairman, could I just state,
6 for the record, that it's my understanding that OIA has
7 done what they were requested -- that they represented
8 that -- what I had represented that they were going to
9 do in relation to the McGregor matter, and that's all
10 I'll say. That's all I'll say at this point; but it's
11 my understanding that they have fulfilled their
12 obligations that the Staff informed you on.

13 JUDGE GROSSMAN: Well, we have a letter dated
14 October 1st from the director of OIA in which it
15 suggests that there will be a final disposition of both
16 inspections -- of both investigations which have been
17 discussed; but we see that one report is expected to be
18 completed by October 10th and the other one will be
19 completed in approximately one week. One week from
20 October 1st is approximately October 8th or 10th, also.

21 I see that -- well, let me read the last paragraph.

22 "We are providing this letter only to the Licensing
23 Board and as a courtesy to Mr. McGregor and his
24 attorney, Mr. Geocaris. We do not object to the Board

1 itself providing the letter to the proceeding if the
2 Board thinks it would be necessary for the proper
3 conduct of the proceeding, but unless Mr. McGregor makes
4 the letter public, we believe that disclosure to the
5 parties should only be on an in-camera basis."

6 I hesitated to mention the letter because of that;
7 but I really don't even understand, from what's
8 contained in the letter, why it should be in camera.

9 I would hope that we would get the final report on
10 or about October 10th, anyway, and I guess that should
11 resolve the entire issue, and we ought to be able to
12 have Mr. McGregor back perhaps next week.

13 MR. BERRY: Mr. Chairman, I did see the
14 letter, you know. I read it along with you this
15 afternoon.

16 It's my understanding -- it's not even my
17 understanding. I guess my assumption is that actually
18 there were two investigations referred to.

19 I believe the first investigation is the one that
20 Mr. McGregor himself alluded to.

21 The fieldwork is complete; I believe the draft
22 report is written.

23 The report is probably just going through final
24 review; and I think it should be issued -- I think the

1 letter refers to October the 10th.

2 The second one -- the second matter I'm not certain
3 what the status is.

4 I would assume that what that refers to is the
5 fieldwork has been completed or is about to be completed
6 and a report will have to be issued on the -- a draft
7 report will have to be written on that, and that will
8 have to go through the reviewer.

9 So I'm not certain if the second report that's
10 referred to in that letter will be available for
11 issuance by October 10th or when the first one is. It
12 may well be.

13 But I would just want to point out to the Board and
14 the parties, with respect to the second one, there may
15 be a time lag built into that, if what they are talking
16 about is correct.

17 JUDGE GROSSMAN: Okay.

18 The reason I'm a little surprised that they wish
19 this to be in camera is that apparently there has been
20 nothing in here derogatory towards Mr. McGregor, and
21 considering the cloud that appeared over him from what
22 we heard previously, I think it would only be fair to
23 disclose the entire matter; but we'll just hold off for
24 a few days until we decide what we ought to do with

1 that.

2 MR. BERRY: You know, if I might remark just
3 briefly, Mr. Chairman, I believe that the reason for
4 that is ordinarily matters of this type would not be the
5 subject of an inquiry into an operating license
6 proceeding.

7 Matters of this type really are really not
8 necessary to be disclosed to the public, and it's a
9 privacy matter, really, and I think that's the caution
10 for the subject of the investigation. That would be the
11 reason for that.

12 I don't have any particular objection to it being
13 made public, but before I give that final assurance, I
14 would just take the opportunity to consult, you know,
15 with my colleagues; but I think that the reason for that
16 last paragraph in that letter is just generally
17 consistent with the NRC's procedures, and it's way of
18 operating, that a personnel or an internal
19 grievance-type matter -- we generally don't make matters
20 like that public.

21 JUDGE GROSSMAN: Okay, fine.

22 I would hope that you would be in touch with Mr.
23 McGregor and find out, since he has received a copy of
24 this, whether he'd be available next week for completing

1 his testimony.

2 MR. BERRY: We will do that, your Honor.

3 MR. GUILD: Mr. Chairman, we would request a
4 copy of whatever communication OIA has made on the
5 subject to the Licensing Board.

6 With respect to an in-camera restriction on it or a
7 protective order on it, if that's the pending position
8 of the Board or the Staff, that I have the same doubts
9 about the appropriateness of treating it as secret,
10 since, in fact, Mr. McGregor mentioned matters very
11 prominent on the record; and I believe the fairness to
12 him calls for closing the matter on the public record.

13 But for the time, I would ask that the parties
14 receive copies of whatever OIA has communicated to the
15 Licensing Board.

16 JUDGE GROSSMAN: Okay.

17 Mr. Miller, I take it you are agreeable to
18 receiving this under protective order, at least reading
19 it, because all we have is one copy here?

20 MR. MILLER: Yes, sir.

21 JUDGE GROSSMAN: And you, too, Mr. Guild?
22 You would agree to that?

23 MR. GUILD: Yes, sir.

24 JUDGE GROSSMAN: And I would expect that as

1 soon as Mr. McGregor gives his okay, we can make it
2 public.

3 So at the close of today's session, we'll just let
4 you read the copy of the letter.

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

6 May I proceed?

7 JUDGE GROSSMAN: Continue, please.

8 BY MR. GUILD:

9 Q Mr. Wozniak, turn, if you would, please, sir, to Page 7
10 of your prefiled testimony.

11 There in Answer 18, you state, quote, "We
12 reinspected all conduit support hangers inspected prior
13 to January 24, 1985, for the attributes called in
14 question."

15 Shouldn't that testimony actually read, "We
16 reverified all," instead of, "reinspected all"?

17 A (WITNESS WOZNIAK) Reinspection per se of the design
18 requirements versus the attributes that had been
19 documented; but quite possibly for the purpose of this
20 text, reverification would be the proper terminology,
21 yes, sir.

22 Q All right, sir.

23 You didn't actually go out and do a field
24 reinspection, as we've used the term "inspection" in our

1 context, to look at the physical characteristics of the
2 item?

3 A (WITNESS WOZNIAK) We did not go out and inspect in the
4 field all 51 packages, no, sir.

5 Q All right, sir.

6 Mr. Smith, if you would turn to Page 9 of your
7 prefiled testimony, sir, there you speak about the BCAP
8 QA overinspection of CSR inspectors' work, and you
9 state, in part, that you employed a 95 percent
10 acceptance rate for objective attributes and a 90
11 percent agreement rate for subjective attributes;
12 namely, welding; correct? .

13 A (WITNESS SMITH) Yes, sir.

14 Q All right.

15 Now, you state that the basis for using those
16 acceptance criteria of 95-90 was the Byron QC IRP and
17 the supplemental initial decision of the Licensing Board
18 in the Byron proceeding that you cite to?

19 A (WITNESS SMITH) Yes, sir.

20 Q What was the empirical basis for the use of a 95 percent
21 acceptance criteria for objective attributes and a 90
22 percent acceptance criteria for welds?

23 A (WITNESS SMITH) When you say "empirical," could you --

24 Q Yes.

1 What basis in fact, aside from citation to the
2 Byron Licensing Board decision and the Byron Quality
3 Control Inspector Reinspection Program, did you have as
4 a basis in fact, sir?

5 A (WITNESS SMITH) I'm having a hard time -- excuse me.
6 I'm having a hard time hearing you and understanding
7 what you mean.

8 Q I'll be happy to repeat.

9 Am I speaking loud enough?

10 A (WITNESS SMITH) I have ear problems.

11 Q Tell me if you can't hear me; and we can make sure I
12 read it back or read it loud enough.

13 Would you like me to repeat the last question?

14 A (WITNESS SMITH) Yes.

15 It dealt with empirical?

16 Q Yes.

17 What was the empirical basis for the use of the
18 95-90 acceptance criteria that you employed in your
19 overinspections?

20 A (WITNESS SMITH) The Byron licensing decisions.

21 Q That's your basis.

22 Now, what was the basis in fact -- aside from
23 relying on or citing to the Byron decision, what facts
24 support the use of a 95 percent acceptance criteria for

1 objective attributes?

2 A (WITNESS SMITH) I guess I don't know what you are
3 asking, sir.

4 Q Do you know the answer to the question of whether there
5 is a factual basis for the use of a 95 percent
6 acceptance criteria?

7 A (WITNESS SMITH) No.

8 My only basis for using it was the Byron Licensing
9 Board decision.

10 Q All right, sir.

11 The same answer for the 90 percent acceptance
12 criteria?

13 A (WITNESS SMITH) Correct, that's correct.

14 Q Okay.

15 Do you know whether or not there is an empirical
16 basis, a basis in fact, for using those acceptance
17 criteria?

18 A (WITNESS SMITH) Other than people telling me that they
19 are generally-accepted numbers, no, sir.

20 (Indicating.)

21 Q All right.

22 Now, gentlemen, I want to show you a sample item
23 from the CSR sampling and ask you to help me identify
24 the constituent parts of the package.

1 (Indicating.)

2 First let's turn, if we would, please, to Dr.
3 Kaushal's Attachment 4.

4 I'm looking at Line Items 919 and 920. They are
5 the results -- the data base results for Cable Pan
6 Hanger 104.

7 Do you have that before you, gentlemen?

8 A (WITNESS KAUSHAL) I do.

9 Q Cable Pan Hanger 104?

10 A (WITNESS KAUSHAL) I'm seeing it.

11 Q You have it, Dr. Kaushal?

12 A (WITNESS KAUSHAL) I have it in front of me, yes.

13 Q All right, sir.

14 Now, for that particular CSR item, as I understand
15 it, two weld inspection documents -- Comstock weld
16 inspection documents -- were identified; is that
17 correct, Dr. Kaushal?

18 A (WITNESS KAUSHAL) That would be correct based on these
19 entries.

20 Q All right.

21 And they reflect an inspection on May 15, '81, by
22 IFD, and that is Mr. DeWald, the present Comstock
23 Quality Control Manager; correct?

24 A (WITNESS KAUSHAL) That would be correct, yes.

1 Q All right.

2 And a second weld inspection performed -- or dated
3 February 8, 1982, by R. L. M., and that's Richard L.
4 Martin, is it not?

5 A (WITNESS KAUSHAL) I believe that's correct.

6 Q All right, sir.

7 Now, in that particular item --

8 MR. GUILD: Is the reference clear to the
9 Board members? It's CPH 104.

10 JUDGE CALLIHAN: Revision 2, Mr. Guild?

11 MR. GUILD: I don't think it's the subject of
12 any revision, Judge Callihan, but, yes, Revision 2 is
13 the current one.

14 JUDGE COLE: It's Page 17, I believe --

15 MR. GUILD: All right, sir. Thank you.

16 JUDGE COLE: -- AR 006866.

17 BY MR. GUILD:

18 Q Now, that particular item, gentlemen of the panel, was
19 counted to have 1,923 inspection points; correct?

20 A (WITNESS KAUSHAL) That's correct. That's what it
21 says.

22 Q All right.

23 And those consisted of 128 welds?

24 A (WITNESS KAUSHAL) Right.

1 Q All right.

2 Of the 1,923 inspection points, there were 37
3 discrepancies identified?

4 A (WITNESS KAUSHAL) Yes, yes, discrepancy points.

5 Q Discrepancy points?

6 A (WITNESS KAUSHAL) Right.

7 Q All right, sir.

8 Of the 128 welds, 24 of them were discrepant?

9 A (WITNESS KAUSHAL) That's correct.

10 Q All right, sir.

11 Now, the data points are identical for both Mr.
12 DeWald and Mr. Martin.

13 And does that mean that, for data -- for the data
14 base purposes, you assumed that both of those inspectors
15 inspected all of those welds?

16 A (WITNESS KAUSHAL) That would be the understanding,
17 yes.

18 Q And both of those inspectors inspected all of those
19 inspection points?

20 A (WITNESS KAUSHAL) That would be, yes.

21 Q And both of those inspectors failed to identify each of
22 the discrepancy points?

23 A (WITNESS KAUSHAL) That would be the implication, yes.

24 Q Again, finally, both of those inspectors failed to

1 identify each of those discrepant welds?

2 A (WITNESS KAUSHAL) That's correct.

3 Q All right, sir.

4 A At least that's the implication from here.

5 Q Well, that's the way the data is presented --

6 A (WITNESS KAUSHAL) That's correct.

7 Q -- and described, is it not?

8 A (WITNESS KAUSHAL) Right.

9 Q Let's see if we can walk through a package reflecting
10 this inspection.

11 First I show you a package that begins with the
12 observation -- the first observation for this item.

13 (Indicating.)

14 Now, Dr. Kaushal, if you would help me flip through
15 this package, we have an observation record for CPH
16 104-01?

17 A (WITNESS KAUSHAL) Correct.

18 Q All right.

19 And flipping through, we then have an Observation
20 02 for the same item, do we not?

21 A (WITNESS KAUSHAL) Yes, there is.

22 Q And there's an 03 and also a 4?

23 There are four observations for this particular
24 item, Cable Pan Hanger 104?

1 A (WITNESS KAUSHAL) Yes, I see four of them.

2 Q All right, sir.

3 Now, your data points in your Attachment 4 to your
4 testimony only reflect the existence of one observation;
5 correct?

6 A (WITNESS KAUSHAL) No; that isn't necessarily true, no.

7 Q Well, do you know whether it reflects more than one?

8 A (WITNESS KAUSHAL) It reflects all the discrepancies on
9 that particular item.

10 Q Well, all the discrepancies that were determined to be
11 valid for that particular item?

12 A (WITNESS KAUSHAL) All the discrepancies that were
13 determined to be valid, which are the only things that
14 we call discrepancies.

15 Q All right, sir.

16 A (WITNESS KAUSHAL) The rest are not called
17 discrepancies.

18 Q Yes, sir.

19 And, in fact, Observation -- Cable Pan Hanger
20 104-01 is determined out of scope; correct?

21 A (WITNESS KAUSHAL) Yes, that's correct.

22 Q It was deemed -- it was previously deemed valid, but
23 then determined out of scope on the basis of the Sargent
24 & Lundy cable pan hanger configuration walkdown program?

1 A (WITNESS KAUSHAL) It was not just the Sargent & Lundy
2 cable pan hanger walkdown. It included Comstock's, yes.

3 Q All right, sir.

4 But it was on the basis of that walkdown program
5 that this observation was deemed out of scope?

6 A (WITNESS KAUSHAL) That's correct.

7 Q But it previously had been deemed a valid discrepancy?

8 That's the preceding page.

9 A (WITNESS KAUSHAL) The initial assessment by the
10 engineer was marked valid, yes.

11 Q All right, sir.

12 On the basis that it reflected discrepancies from
13 the original design configuration?

14 A (WITNESS KAUSHAL) I'm sorry?

15 Q It reflected discrepancies from the design
16 configuration?

17 A (WITNESS KAUSHAL) Well, that's a statement, Mr. Guild.

18 May I know what the question is?

19 Q Well, that is a question.

20 Is that accurate, sir, that the 01 observation
21 indeed reflected valid discrepancies in the
22 field-observed configuration from design requirements?

23 A (WITNESS KAUSHAL) Mr. Guild, I would not be able to
24 state to that, because the -- it did go through some

1 process.

2 I guess, in this case, I would have to say that's
3 correct, yes.

4 Q All right, sir.

5 Now, 02 similarly -- also similarly reflected
6 discrepancies in the cable pan hanger that were deemed
7 valid discrepancies from design requirements, but,
8 nonetheless, the observation was deemed out of scope of
9 BCAP and, therefore, the discrepancies were not counted
10 as discrepancies?

11 A (WITNESS KAUSHAL) That's what the paper would signify,
12 yes.

13 Q All right.

14 And the same for 03, also valid discrepant
15 configuration conditions deemed out of scope on the
16 basis of the Sargent & Lundy walkdown?

17 A (WITNESS KAUSHAL) That's correct.

18 Q Leaving BCAP CSR Cable Pan Hanger Item 104, Observation
19 4, as the only valid in scope observation discrepancy
20 that required further evaluation?

21 A (WITNESS KAUSHAL) That's the one that pertains to
22 welds. I believe that's correct, yes.

23 Q You find that in the document that follows 1, 2 and 3?

24 A (WITNESS KAUSHAL) I'm sorry?

1 Q Do you find that in the documents?

2 A (WITNESS KAUSHAL) Yes, I found it.

3 Q All right, sir.

4 Now, Dr. Kaushal, attached to BCAP -- to the
5 Observation 04 for Cable Pan Hanger, the second page of
6 the document as well as the third and the fourth page
7 are drawings, are sketches?

8 A (WITNESS KAUSHAL) Sketchs, yes.

9 Q All right.

10 Are they sketchs as you used the term "sketchs"
11 earlier in your examination --

12 A (WITNESS KAUSHAL) Yes.

13 Q -- as opposed to weld maps?

14 A (WITNESS KAUSHAL) These are sketchs, yes.

15 Q All right, sir.

16 Now, the first sketch -- and that is Attachment 1,
17 Page 1 of 3 -- does that appear to reflect a section
18 view of the hanger?

19 A (WITNESS KAUSHAL) That's what it appears to reflect,
20 yes.

21 Q All right, sir.

22 How many welds are on that -- are shown on that
23 section view of the drawing of the cable pan hanger?

24 MR. STEPTOE: Well, I'll object to this

1 question.

2 He's asking the wrong witness, Judge Grossman.

3 It's already in the record that Sargent & Lundy did
4 the counting of the inspection points and the counting
5 of the welds.

6 MR. GUILD: All right, sir.

7 MR. STEPTOE: If the only purpose is to
8 embarrass Dr. Kaushal by making him go through an
9 exercise on the stand -- you know, I'd be hard pressed
10 to do this, especially if I were under oath.

11 JUDGE GROSSMAN: Well, I'm not sure it will
12 embarrass Dr. Kaushal.

13 MR. STEPTOE: Well, I don't know.

14 JUDGE GROSSMAN: He probably has the answers
15 to these.

16 If it gets to that point, we'll take the objection
17 into account.

18 MR. STEPTOE: Thank you.

19 BY MR. GUILD:

20 Q Dr. Kaushal, from the sketch attached to the Observation
21 for 4, 04, how many welds are indicated for that cable
22 pan hanger?

23 A (WITNESS KAUSHAL) Mr. Guild, I would not be able to
24 count them.

1 Q All right, sir.

2 It's a complex hanger; but are all the welds on
3 that hanger shown on that sketch?

4 A (WITNESS KAUSHAL) My general expectation will be that
5 the discrepant welds would be shown. All the good welds
6 may or may not be shown.

7 Q All right.

8 Well, how many discrepant welds are there, sir?

9 A (WITNESS KAUSHAL) Again, I would have difficulty
10 counting this.

11 Q All right.

12 It's a very complex drawing or sketch, is it not?

13 A (WITNESS KAUSHAL) That is correct.

14 Q And contains a large amount of information, a lot of
15 data?

16 A (WITNESS KAUSHAL) That's correct.

17 Q All right, sir.

18 Would you agree that it's a difficult task, from a
19 review of this sketch, to identify the number of
20 discrepant welds?

21 A (WITNESS KAUSHAL) As I said, I would have difficulty;
22 but for a person who's been doing this all the time, it
23 should not be that difficult.

24 Q All right, sir.

1 Well, I haven't been doing it all this time, and I
2 tried and I couldn't do it.

3 You can't do it, can you, sir, determine how many
4 welds -- discrepant welds there are?

5 A (WITNESS KAUSHAL) If I did it for a living, I could;
6 but no, I cannot at this time.

7 Q All right, sir.

8 Now, then, following the section view of the hanger
9 in question and the indication of where certain
10 discrepant welds are anticipated on that hanger, there
11 are two pages of detail.

12 And can you tell me what those details are, sir?

13 A (WITNESS KAUSHAL) Those details point to certain weld
14 discrepancies in the more detailed form.

15 Q All right.

16 They clearly don't reflect all of the discrepant
17 welds? They are not detailed -- there are no detail
18 drawings for many of the discrepant welds indicated on
19 the first sheet; correct?

20 A (WITNESS KAUSHAL) Mr. Guild, just so I don't create a
21 misunderstanding, I have not taken the time, and I'm not
22 sure I can do it quickly, reviewing what's on the first
23 attachment.

24 I am looking at the second attachment, and I

1 understand it to be detailed views of certain discrepant
2 welds.

3 Q All right, sir.

4 A (WITNESS KAUSHAL) You know, whether or not it reflects
5 all the discrepant welds, I really couldn't testify to
6 that at this time.

7 Q Well, sir, just looking at the first -- the second page,
8 I see there are four details shown, AA through DD;
9 correct?

10 A (WITNESS KAUSHAL) Yes, that's correct.

11 Q And there are two additional details shown on the third
12 sheet?

13 A (WITNESS KAUSHAL) That's correct.

14 Q Now, if we took each of those as separate weld details,
15 that would be six.

16 And there are clearly more than six discrepant weld
17 details depicted on Sheet 1, are there not?

18 A (WITNESS KAUSHAL) Many of those details may be
19 identical, Mr. Guild.

20 Q There are, indeed, though, more than six discrepant weld
21 details shown on the first sheet, though, aren't there?

22 A (WITNESS KAUSHAL) I would not know that.

23 See, the first sheet is supposed to show, as you
24 indicated, the section view of the hanger identifying

1 where the discrepancies were seen.

2 A number of those connections appear to me, on
3 cursory review, to be similar, and they may be amenable
4 to sketches than the details that are more generally
5 applicable.

6 Q All right, sir.

7 Mr. Shevlin, do you have the document available to
8 you, sir?

9 Can you help clarify what the sketches represent,
10 sir?

11 A (WITNESS SHEVLIN) Yes, sir.

12 On the first page of the attachment, there's an
13 elevation view of a support.

14 By definition, it represents a side view of the
15 entire support.

16 Q All right, sir. Thank you.

17 A (WITNESS SHEVLIN) The only thing that's excluded is the
18 connection to the building steel.

19 Q Which would be to the top of the page?

20 A (WITNESS SHEVLIN) Yes.

21 Q All right.

22 A (WITNESS SHEVLIN) Now, it can be seen, by looking at
23 this elevation view, that the section shown on Pages 2
24 and 3 have been cut from various areas on the elevation.

1 Q AA, BB, CC and DD?

2 A (WITNESS SHEVLIN) Yes, exactly.

3 Q All right, sir.

4 A (WITNESS SHEVLIN) That would put the sections shown on
5 Pages 2 and 3 of the attachment in perspective with the
6 hanger.

7 Q All right, sir.

8 A (WITNESS SHEVLIN) At that point, the engineer who will
9 evaluate these discrepancies will know exactly where on
10 the hanger he is looking, be able to relate the
11 discrepancies to the hanger, and perform whatever
12 analysis he needs to perform.

13 (Indicating.)

14 With regards to the counting of welds, it cannot be
15 done purely from this document.

16 Q All right, sir.

17 A (WITNESS SHEVLIN) One would need the design documents
18 to go with it.

19 Then the counting of welds would not be a very
20 difficult task.

21 Q All right, sir.

22 A (WITNESS SHEVLIN) From this document, it's impossible.

23 Q Now, can we agree, Mr. Shevlin, that what you have
24 denominated as the section views of the Details AA, BB,

1 CC and DD, do not reflect all of the details where there
2 are indicated discrepant welds on the first sheet on the
3 elevation view.

4 A (WITNESS SHEVLIN) That's true. They supplement the
5 first sheet.

6 Q All right.

7 There are other discrepant connections that are not
8 shown in detail by the attached section views?

9 A (WITNESS SHEVLIN) No, sir. All discrepant welds on
10 this support should be shown somewhere in the attachment
11 to the observation.

12 (Indicating.)

13 Q Well, maybe I'm just not following you.

14 I see six details shown on the attached two pages
15 to the elevation drawing that shows the whole hanger.

16 Can we agree that there are more than six
17 connections on that?

18 A (WITNESS SHEVLIN) Sir, you see six section views on
19 Pages 2 and 3.

20 Q Yes.

21 A (WITNESS SHEVLIN) You also see, on Page 1, further
22 identified discrepancies. These are not repeated on
23 Pages 2 and 3.

24 Q I see. Thank you.

1 JUDGE GROSSMAN: When you say "supplemental,"
2 2 and 3 are additional?

3 A (WITNESS SHEVLIN) Yes, sir, they expand upon the
4 information shown on the first page, simply because
5 there wasn't enough room on the piece of paper to
6 present all the information that the inspector wanted to
7 present.

8 MR. GUILD: Understood.

9 BY MR. GUILD:

10 Q So if one identified all of the discrepant weld
11 conditions, one would have to consider taking together
12 all three of the sketches?

13 A (WITNESS SHEVLIN) That's correct.

14 Q Now, can we agree, gentlemen, that the Observation 04
15 nowhere specifies the number of discrepant welds by a
16 numerical count? There's simply the sketches shown?

17 A (WITNESS SHEVLIN) Sir, it's specified by the fact that
18 they are all pictorially represented and described.

19 Q Well, sir, that may be.

20 But the answer to my question is there is no
21 numerical count reflected in the description of the
22 discrepancy of the number of discrepant welds?

23 A (WITNESS SHEVLIN) Nor was there any requirement for
24 there to be.

1 Q Understood.

2 The description of the discrepancy appears at Page
3 2 of 3 of the observation record, does it not, under the
4 evaluation section, quote, "Welds are undersized,
5 underlength and undercut at Unistrut"?

6 On that basis, it's a valid observation? That's
7 the only narrative description of the nature of the
8 discrepant conditions aside from what's depicted in the
9 sketches?

10 A (WITNESS SHEVLIN) No, sir, that's accurate.

11 Q There was no requirement under the CSR element that the
12 CSR inspector count the discrepant welds and describe
13 the number of discrepant welds in a narrative in the
14 observation record?

15 A (WITNESS SHEVLIN) Not in narrative form, no, sir.

16 The requirement was they -- all the information
17 needed by any or all of the associated engineers -- and
18 that includes the Sargent & Lundy people who ultimately
19 did the counting -- all this information must be
20 presented in the observation record.

21 Q All right, sir.

22 But in order to know how many welds there are, you
23 have to go beyond the observation record to the design
24 documents?

1 A (WITNESS SHEVLIN) That is correct, sir.

2 Q Now, this particular Observation CPH 104-4, was it
3 reviewed for completeness, clarity and accuracy; anybody
4 on the panel?

5 A (WITNESS SHEVLIN) Yes, sir, it was.

6 Q All right, sir.

7 And was it approved for that purpose? Was it
8 proved for completeness, clarity and accuracy?

9 A (WITNESS SHEVLIN) Yes, sir, it was.

10 Q Okay.

11 And who made that approval, sir?

12 A (WITNESS SHEVLIN) Howard M. Seigers.

13 Q Is that indicated in Box 14?

14 A (WITNESS SHEVLIN) Yes, sir.

15 Q Okay.

16 The observation was reviewed for validity, and it
17 was determined to be valid, was it not?

18 A (WITNESS SHEVLIN) Yes, sir.

19 Q By Mr. Patel?

20 A (WITNESS SHEVLIN) It was evaluated by Mr. Patel and
21 approved by Mr. Thompson.

22 Q Who is Mr. Thompson; anybody?

23 Dr. Kaushal?

24 A (WITNESS SHEVLIN) I think Dr. Kaushal can answer.

1 A (WITNESS KAUSHAL) I believe he was assistant
2 supervisor for CSR.

3 Q All right, sir.

4 A (WITNESS KAUSHAL) I am not fully recalling that right
5 now, Mr. Guild, but that's my recollection.

6 Q All right.

7 Now, the second -- the next page of the record,
8 Page 3 of 3, reflects Sargent & Lundy's evaluation of
9 the discrepancy, does it not?

10 A (WITNESS SHEVLIN) Yes, sir.

11 Q All right.

12 We'll speak to Sargent & Lundy about what they did
13 on this one.

14 But it is the Box 25 that Sargent & Lundy
15 completed, and the BCAP Task Force review of Sargent &
16 Lundy's evaluation is contained in Box 29; correct?

17 A (WITNESS KAUSHAL) Excuse me, Mr. Guild. I had to give
18 my document to Mr. Shevlin --

19 Q Sure.

20 A (WITNESS KAUSHAL) -- and I wasn't quite following.

21 Your question is on Part 4 now?

22 Q Yes, sir.

23 Box 25 is the Sargent & Lundy evaluation, Box 29 is
24 the BCAP Task Force review of that evaluation.

1 A (WITNESS KAUSHAL) That is correct.

2 Q All right, sir.

3 And the Sargent & Lundy evaluation was an
4 evaluation of the discrepancy for significance?

5 A (WITNESS KAUSHAL) Design significance.

6 Q All right, sir.

7 They concluded, on the basis of their evaluation,
8 that the item was not design significant as that term is
9 used in the BCAP program?

10 A (WITNESS KAUSHAL) That's correct.

11 Q And you, the BCAP Task Force, accepted that evaluation?

12 A (WITNESS KAUSHAL) That's correct.

13 Q All right, sir.

14 Now, who did that evaluation of that review --
15 excuse me -- the review of the S & L evaluation for the
16 BCAP Task Force?

17 A (WITNESS KAUSHAL) It would normally be done by the
18 BCAP engineers.

19 I don't recall whose initials those are at the end
20 of that evaluation; but the evaluation would be done by
21 the appropriate engineering staff.

22 Q Well, that's not Mr. Patel?

23 A (WITNESS KAUSHAL) That one is not Mr. Davey Patel that
24 I talked to you the other day about.

1 Those initials do not look like Mr. Davey Patel's.

2 JUDGE GROSSMAN: Weren't there two Patels we
3 heard?

4 A (WITNESS KAUSHAL) Oh, excuse me.

5 It does say, "Reviewed by Davey Patel."

6 BY MR. GUILD:

7 Q Under Box 30?

8 A (WITNESS KAUSHAL) Under Box 30.

9 Q Wouldn't that signify that Mr. Patel was the Box 29
10 reviewer?

11 A (WITNESS KAUSHAL) That would be -- that would signify
12 that, yes.

13 Q All right, sir.

14 And then Box 31 -- what's the significance of the
15 Box 31 signature, Dr. Kaushal?

16 A (WITNESS KAUSHAL) I believe the Box 31 -- I'll have to
17 look at the BCAP-06, Mr. Guild.

18 I don't really recall what specific step was
19 involved in signing the Box 31.

20 Q All right.

21 A (WITNESS KAUSHAL) It may very well be the final review
22 by the CSR supervisor.

23 Q Can others on the panel respond?

24 What was the Box 31 review for?

1 A (WITNESS SHEVLIN) I have no idea.

2 Q Mr. Shevlin, you don't know?

3 A (WITNESS SHEVLIN) This form is well past my involvement
4 with an observation.

5 Q All right, sir.

6 Mr. Smith? Mr. Smith, do you know the answer?

7 A (WITNESS SMITH) You are just asking what does that
8 signature signify?

9 Q Yes, sir, what does that signature in Box 31 signify?

10 A (WITNESS SMITH) Basically final acceptance by BCAP of S
11 and L's disposition -- or design significance
12 evaluation.

13 Q All right, sir.

14 And can you tell who performed it in this case?

15 A (WITNESS SMITH) Was that Willoughby?

16 A (WITNESS KAUSHAL) Yes.

17 Q What position -- Mr. Willoughby?

18 A (WITNESS SMITH) Mr. Willoughby.

19 Q What position does Mr. Willoughby hold?

20 A (WITNESS KAUSHAL) Mr. Willoughby -- are you asking --

21 Q Anybody on the panel.

22 Dr. Kaushal would be fine, if you can answer.

23 A (WITNESS KAUSHAL) Mr. Willoughby at that time, I
24 believe, was CSR supervisor.

1 Q All right, sir.

2 Now, the BCAP Task Force review of Sargent &
3 Lundy's evaluation makes a reference to another
4 observation as the basis for accepting this review, and
5 I know -- I don't expect you to know what CPH 150-5 was.

6 Anybody on the panel?

7 A (WITNESS KAUSHAL) 150-5?

8 Q 150-5.

9 Per chance, does anybody know what 150-5 was?

10 A (WITNESS KAUSHAL) No, I would not know.

11 A (WITNESS SHEVLIN) No.

12 Q What was the practice for the BCAP Task Force by way of
13 evaluating Sargent & Lundy's evaluation with regard to
14 referencing a previous observation?

15 Why is there a reference to 150-5 for CPH 104-4?

16 A (WITNESS KAUSHAL) Mr. Guild, I'm sure -- I'm almost
17 positive, if we look at BCAP-06, we would see that the
18 BCAP evaluation of the discrepancy was based --
19 discrepancy evaluation for design significance was of a
20 nature of looking at the general methodology used and
21 the assumptions and criteria employed rather than a
22 detailed run through of the actual count.

23 Q All right, sir.

24 A (WITNESS KAUSHAL) That was Sargent & Lundy's role.

1 So if there was a similar discrepancy or the kind
2 of calculation that applied to this discrepancy, as it
3 was in the previous one, then that's what this kind of
4 comment would imply to me.

5 Q All right, sir.

6 What's the significance of the referenced
7 Observation 150-5? Was there a BCAP Task Force
8 detailed review of that evaluation, 150-5?

9 A (WITNESS KAUSHAL) I would have to look at the record
10 on 150-5; but it probably is going back to a certain set
11 of discussions that they had on that discrepancy and
12 referring that -- just like in that case, it's okay
13 here.

14 Q Well --

15 A (WITNESS KAUSHAL) That's my expectation; but --

16 Q Is it your expectation -- I'm sorry. I didn't mean to
17 interrupt.

18 A (WITNESS KAUSHAL) -- but I don't have an exact
19 recollection of what 150-5 was.

20 Q All right.

21 Would there have been a detailed task force
22 evaluation of any of the Sargent & Lundy calculations
23 for purposes of reviewing Sargent & Lundy's design
24 significance evaluation?

1 A (WITNESS KAUSHAL) The only review was of the nature
2 that I indicated to you.

3 If you consider that detailed, then it was
4 detailed. If you don't, then it wasn't.

5 Q Well, you didn't consider it detailed?

6 A (WITNESS KAUSHAL) In that view, that would not be a
7 detailed review of the count, yes.

8 Q All right, sir.

9 And would it be appropriate for -- is it consistent
10 with your understanding, Dr. Kaushal, of the way the
11 task force reviewed the Sargent & Lundy evaluations,
12 that 150-5, the referenced observations, would also not
13 reflect the detailed review?

14 A (WITNESS KAUSHAL) Of the item by item, that's probably
15 correct; although, you know, each engineer decided for
16 himself the depth to which he felt he needed to go to
17 make himself comfortable with that.

18 So to what extent this particular engineer or group
19 of engineers went, I would not know.

20 Q All right, sir.

21 Now, proceeding through the observation package,
22 there is another drawing -- or a drawing that bears the
23 legend "CSR weld map."

24 Do you see that, the next page, sir?

1 A (WITNESS KAUSHAL) Give me the page stamp number.

2 Q Mine has AR 004672.

3 A (WITNESS KAUSHAL) All right.

4 Q Is that a weld map there?

5 A (WITNESS KAUSHAL) That's what the piece of paper says,
6 yes. That is weld map.

7 Q Mr. Shevlin, do you agree with that, that's a weld map?

8 A (WITNESS SHEVLIN) It's part of a weld map.

9 Q It's part of a weld map.

10 Where is the rest of the weld map, the succeeding
11 pages?

12 A (WITNESS SHEVLIN) I don't know, sir; but this form is
13 entitled "Weld Map Continuation."

14 Q Indeed it is.

15 This was the form in which the document was given
16 to me.

17 What would this -- what would have preceded the
18 continuation for this to represent a complete weld map,
19 Mr. Shevlin?

20 A (WITNESS SHEVLIN) The second -- the second -- the next
21 following page.

22 Q Okay.

23 4673 at the bottom?

24 A (WITNESS SHEVLIN) Yes, that's the -- that's generally

1 a -- that's the first page of the weld map.

2 Q That should be the first page?

3 A (WITNESS SHEVLIN) Yes.

4 Q All right, sir.

5 A (WITNESS SHEVLIN) And the first page, numbered 4672,
6 is the second panel.

7 Q Okay.

8 How about 4674?

9 A (WITNESS SHEVLIN) That indicates that this weld map was
10 later supplemented by a Level III Welding Inspector; in
11 all probability, at the Sargent & Lundy's request for
12 additional information.

13 Q Okay.

14 How can you tell from that 4674 that it represents
15 a Level III supplement?

16 A (WITNESS SHEVLIN) Because I caused him to be certified
17 to a Level III.

18 Q So you know the identity of the gentleman; you know he's
19 a Level III rank?

20 A (WITNESS SHEVLIN) Absolutely, yes.

21 Q I'm not questioning you on that score, sir.

22 Nothing from the page indicates a Level III review.
23 You just happen to know that that gentleman is a Level
24 III?

1 A (WITNESS SHEVLIN) Right.

2 It wasn't required that he be a Level III.

3 Q Understood.

4 All right, sir.

5 Now, looking at 4672, the elevation view of the
6 hanger -- that is an elevation view, is it not?

7 A (WITNESS SHEVLIN) Yes, sir.

8 Q All right.

9 Now, that, in fact, is the identical drawing to the
10 sketch that was the first attachment page to the
11 Observation 04, was it not?

12 A (WITNESS SHEVLIN) Without a detailed study, it appears
13 to be, yes, sir.

14 Q Well, compare that to Bates No. 4667.

15 And doesn't it immediately -- isn't it immediately
16 clear it's the same drawing?

17 A (WITNESS SHEVLIN) There's a possibility of some minor
18 variances in there, but probably -- it's probably a
19 copy.

20 Q All right, sir.

21 A (WITNESS SHEVLIN) Probably Xeroxed.

22 MR. STEPTOE: Can I ask the witness to study
23 it, please.

24 MR. GUILD: I'd be happy if he would; and I

1 don't know the anser to the question, so I'm asking.

2 If there are differences --

3 MR. STEPTOE: There appear to be obvious
4 differences to me, so that's why I asked the question.

5 MR. GUILD: All right.

6 JUDGE GROSSMAN: Well --

7 MR. STEPTOE: And I don't know whether this
8 is significant or not.

9 We just have an answer --

10 JUDGE GROSSMAN: Well, I don't see what's
11 objectionable about the witness confirming that these
12 are identical drawings.

13 JUDGE COLE: Yes. There seems to be a lot
14 more detail on what's identified as the weld map, for
15 example, than in the cable pan trays themselves.
16 There's a lot of additional detail.

17 Do you see that, sir?

18 JUDGE GROSSMAN: Well, why don't we all agree
19 it seems as though everything that's included on AR
20 004674, except for that number, is also included on AR
21 004672, but there are additional items shown on that
22 latter page; is that correct?

23 A (WITNESS SHEVLIN) Judge Grossman, that would not be
24 uncommon or unexpected.

1 BY MR. GUILD:

2 Q But that is correct, is it not, that they took the
3 original sketch and added some detail to it to make it
4 the weld map?

5 JUDGE GROSSMAN: Was that basically it?

6 A (WITNESS SHEVLIN) Yes, that's basically correct.

7 BY MR. GUILD:

8 Q All right, sir.

9 Can you characterize, Mr. Shevlin, the nature of
10 the detail that was added to the sketch to make it the
11 weld map?

12 A (WITNESS SHEVLIN) With some study.

13 As a general rule, we might add information about
14 good welds.

15 The object of the one report is to report a
16 discrepancy in sufficient detail that the CSR engineer
17 had the full understanding of what the problem is.

18 The object of the weld map is to furnish that
19 detail and any other desired or requested detail to the
20 Sargent & Lundy engineer.

21 It's not unexpected that a weld map will be, in
22 some cases, significantly more detailed than the
23 observation.

24 Q All right, sir.

1 A (WITNESS SHEVLIN) In other cases, they would be
2 identical.

3 Q Mr. Shevlin, would you take a moment, please, sir, or
4 whatever time is required, and review the weld map,
5 please, sir, and describe for me generally the character
6 of the detail that was added.

7 A (WITNESS SHEVLIN) You want a detailed description of
8 every difference on these forms?

9 Q No, sir.

10 Can you characterize what the nature is of the
11 detail that was added to the weld map?

12 What are the types of details that are shown on the
13 weld map that are not on the original sketch?

14 A (WITNESS SHEVLIN) An example would be in the upper
15 left-hand connection, weld symbols, showing both the
16 size and the length of the weld on two opposite sides of
17 the piece were added on the weld map. They were not put
18 on the observation.

19 Q That's on the diagonal brace there?

20 A (WITNESS SHEVLIN) Yes, under where the -- under where
21 the cut lines for Section C are shown.

22 Q Yes, sir.

23 What's the nature of the detail that appears on the
24 horizontal members of the hanger on the weld map?

1 A (WITNESS SHEVLIN) He, again, added weld symbols.

2 Q Does it show the size of those welds?

3 A (WITNESS SHEVLIN) Yes.

4 Apparently what he's doing here is picking up on
5 good welds and adding it to the weld map for the benefit
6 of the engineer who has to do the calculations.

7 Q All right, sir.

8 Not all the good welds, but just the good welds and
9 on selected connections where there had been discrepant
10 welds?

11 A (WITNESS SHEVLIN) I couldn't answer that without seeing
12 the design drawings, sir.

13 Q Okay.

14 You can't tell whether they are all the good welds
15 or not?

16 A (WITNESS SHEVLIN) No, I can't.

17 Q All right, sir.

18 Now, let's turn further through the document, if
19 you would, please.

20 After the final page of weld map, there is an L. K.
21 Comstock -- a series of L. K. Comstock and PTL
22 documents.

23 Do you see a 2/8/82 transmittal form from Comstock
24 to PTL?

1 A (WITNESS SHEVLIN) Yes.

2 Q Okay.

3 Reflecting 152 welds, 35 hangers; correct?

4 A (WITNESS KAUSHAL) Yes.

5 Q Done by four different welders?

6 A (WITNESS KAUSHAL) That's correct.

7 Q And this transmits a Form 19 Comstock weld inspection
8 checklist that bears Mr. Rick Martin's signature with a
9 date of February 8, 1982?

10 A (WITNESS KAUSHAL) That is correct.

11 Q Now, Mr. Martin's Form 19 uses a grid reference, does it
12 not, to indicate the components' location?

13 A (WITNESS KAUSHAL) I believe it does, yes.

14 Q 112 to 113 Q to -- I'm not sure that's S7 or -- do you
15 see the grid reference, Dr. Kaushal?

16 A (WITNESS KAUSHAL) That is a grid reference, yes.

17 Q All right, sir.

18 How do you know that the hanger that is the subject
19 of the CSR Observation 104-4 is contained -- was the
20 subject of Mr. Martin's weld inspection?

21 A (WITNESS KAUSHAL) The hanger numbers are identified in
22 that previous transmittal letter that you just
23 indicated.

24 Q All right, sir.

1 They are not identified on the Comstock Form 19
2 Weld Inspection Report, are they?

3 A (WITNESS KAUSHAL) No; not on the -- not on the Form
4 19, no.

5 Q All right, sir.

6 A (WITNESS KAUSHAL) I don't see it.

7 Q Did --

8 A (WITNESS KAUSHAL) This letter is attached to that form.
9 That's the way it's held.

10 Q And it's the PTL transmittal letter that you relied on
11 and not the inspection checklist in this case to
12 determine that this inspection by Mr. Martin included
13 the hanger that was the subject of the CSR sampling?

14 A (WITNESS SHEVLIN) The transmittal is filed with the
15 other inspection reports, and it also lists the hanger
16 numbers.

17 A (WITNESS KAUSHAL) Excuse me. I don't want to butt in.
18 Who are you directing your questions to?

19 Q Anybody on the panel.

20 Dr. Kaushal, I believe you are the one who sponsors
21 the testimony about how the CSR results were apportioned
22 to or associated with Comstock inspectors.

23 A (WITNESS KAUSHAL) This letter of transmittal is from
24 Comstock to PTL --

1 Q Yes.

2 A (WITNESS KAUSHAL) -- and it lists the hangers.

3 Q It's the PTL transmittal that you rely on to associate
4 Mr. Martin's inspection with the CSR Observation CPH
5 104?

6 A (WITNESS KAUSHAL) When you say "PTL transmittal," you
7 mean transmittal to PTL --

8 Q Yes, sir.

9 A (WITNESS KAUSHAL) -- or transmittal from PTL?

10 Q It's the document AR 00089 that you rely on to connect
11 Mr. Martin to the CSR --

12 A That's correct.

13 Q -- item?

14 A (WITNESS KAUSHAL) And it's the transmittal from
15 Comstock to PTL.

16 Q All right, sir

17 Now, which hanger was the subject of the CSR
18 observation?

19 A (WITNESS KAUSHAL) That will be indicated on the
20 package number, and I'm not sure I can tell you that at
21 this time.

22 Q Well, sir, I'm looking at the description of the
23 observation, Cable Pan Hanger H-002-1-3052.

24 Is that not the hanger that's the subject of the

1 CSR observation?

2 MR. STEPTOE: What document are you reading
3 from, counsel?

4 MR. GUILD: The observation record.

5 MR. STEPTOE: Which one?

6 I mean, 104?

7 MR. GUILD: I'm reading from -- 104-01 just
8 happens to be at the top of the stack.

9 It should all be the same component, I take it.

10 MR. STEPTOE: Should be.

11 A (WITNESS KAUSHAL) Is the same item number shown on --
12 it says H02-1-3052.

13 BY MR. GUILD:

14 Q All right.

15 Now, what is the hanger number? Is that whole
16 number the hanger number?

17 A (WITNESS KAUSHAL) At this time I cannot recall what
18 the correlation between that number and the hanger
19 number identified here on this transmittal is, Mr.
20 Guild.

21 Q Can you tell me which one of the hangers shown on the
22 PTL transmittal letter is the hanger that's the subject
23 of the CSR observation?

24 A (WITNESS KAUSHAL) A couple of these ones are

1 overwritten. I cannot read them.

2 Q Is it any of the ones that are not obliterated?

3 I'm looking at the same copy that you got, Dr.
4 Kaushal, and mine apparently -- it apparently had a
5 highlighter on it at one time. It's obliterated one of
6 the hanger numbers.

7 Is it any of the other hanger numbers?

8 A (WITNESS KAUSHAL) Mr. Guild, I don't recall that right
9 now.

10 Q Mr. Shevlin, can you tell which hanger it is?

11 A (WITNESS SHEVLIN) I think Mr. Wozniak would be the best
12 one to answer that, sir.

13 Q All right.

14 Mr. Wozniak, if you would help.

15 A (WITNESS WOZNIAK) It's my understanding that part of L.
16 K. Comstock's document review program assigned this
17 little stamp on the bottom right-hand corner of the
18 Pittsburgh Testing Laboratory transmittal form, and if
19 you will read that, it says, "QC Tracking Form ID is
20 H2," meaning Hanger 2, "on drawing 20E-1-3052H."

21 Q All right, sir.

22 And is that the reference you rely on to track --
23 to tie Mr. Martin's Form 19 checklist to this CSR cable
24 pan hanger item?

1 A (WITNESS WOZNIAK) As per review of this copy, yes.

2 Like you had indicated, a lot of times a
3 highlighter would not show up on a copy, but on the
4 original documentation, quite possibly underneath that
5 what appears to be the obliterated entry there is, in
6 fact, the H2 designator.

7 Q All right, sir.

8 So do I understand correctly, then, that whoever
9 did the data evaluation and compilation, for purposes of
10 Dr. Kaushal's Attachment 4, relied on the L. K. Comstock
11 document review for this particular package where the
12 Comstock document review stamped the information that
13 appears on the lower right-hand corner of the PTL
14 transmittal letter indicating Hanger H2 for that
15 drawing?

16 A (WITNESS WOZNIAK) I would say that the QC tracking
17 stamp that is on the right-hand side of the document
18 there enhances any other information that might be so
19 listed; but, yes, that would be a method -- that would
20 be the identification of this document.

21 Q Well, assuming that the person who did the data
22 compilation for Dr. Kaushal's Attachment 4 had the same
23 document that we have before us with an obliterated
24 entry, the only connection between the PTL transmittal

1 form and the hanger in question is the H2 reference on
2 the Comstock document review stamp?

3 A (WITNESS WOZNIAK) That would be a correct assumption,
4 yes.

5 Q Now, which 152 welds did Mr. Martin inspect in that grid
6 reference?

7 A (WITNESS WOZNIAK) Well, sir, one must take a look at
8 the hanger installation report that is also attached as
9 part of this document. It bears a document stamp of
10 3993.

11 Q Okay.
12 Several pages following the package?

13 A (WITNESS WOZNIAK) Yes, sir.

14 Q Okay.

15 A (WITNESS WOZNIAK) Whereby on the Drawing Number
16 1-30-52H, Hanger No. H02, the foreman signifies that the
17 hanger was completed installed.

18 That form is a production form that, you know, is
19 presented -- in other words, a notification form
20 inspection --

21 Q All right.

22 A (WITNESS WOZNIAK) -- and that the hanger itself would
23 be totally installed as per the Rev drawings referenced
24 on the hanger installation report and that he inspected

1 the welds as requested.

2 Q Who inspected the welds as requested?

3 A (WITNESS WOZNIAK) Well, it appears Mr. Martin on the
4 referenced document of 2/8/82.

5 Q What's the 2/8/82 reference to?

6 A (WITNESS WOZNIAK) Well, that's the date at the top of
7 the PTL transmittal form.

8 Q Yes, sir.

9 But how does that correlate with the hanger
10 installation, if that's your point?

11 A (WITNESS WOZNIAK) Well the hanger installation record
12 has got a foreman's signature date of April 15, 1981.
13 Okay?

14 Q Yes, sir.

15 A (WITNESS WOZNIAK) I notice also farther in this package
16 that there's an inspection record dated May 15, '81 --

17 Q Yes, sir.

18 A (WITNESS WOZNIAK) -- by Mr. DeWald.

19 Q That's another Form 19 we're going to get to in a
20 moment, but --

21 A (WITNESS WOZNIAK) Well, it would appear that Mr. DeWald
22 inspected prior to Mr. Martin.

23 Q Sure.

24 The form is dated 5/15/81, Mr. DeWald's?

1 A (WITNESS WOZNIAK) And the hanger installation report is
2 dated a month prior to that, the one that is attached in
3 the package to Mr. -- or the way it's attached now would
4 be behind Mr. Martin's inspection record.

5 Q All right.

6 A (WITNESS WOZNIAK) You must understand that, you know,
7 you can assemble these documents any way you want.

8 For me to sit here on the stand and try to piece
9 this together is not easy, you know.

10 Q I agree with that, sir.

11 They are assembled in the same form they were
12 presented to me. The Bates numbers are sequential.

13 A (WITNESS WOZNIAK) That may be true.

14 So, then, in front of the inspection record by Mr.
15 DeWald dated May 15, '81, there's a PTL transmittal form
16 dated May 15, '81, with a QC tracking stamp on it
17 referencing Hanger 2 on Drawing 1-3052H.

18 Q All right.

19 Now, the date on the transmittal is the date in the
20 upper right-hand corner?

21 A (WITNESS WOZNIAK) Upper left-hand corner.

22 Q Oh, correct.

23 Also in the upper right-hand corner, 5/15/81?

24 A (WITNESS WOZNIAK) Oh, okay.

1 Q Okay.

2 A (WITNESS WOZNIAK) That, also, I believe, is how they
3 code on the document, the document being the Form 19, as
4 to which inspection record belongs to which PTL
5 transmittal.

6 If you will note, the Form 19's carry that same
7 coded number in the upper right-hand corner as does the
8 PTL transmittal form.

9 (Indicating.)

10 Q All right, sir.

11 So the correlation is made on the basis of the date
12 of the transmittal form?

13 A (WITNESS WOZNIAK) Uh-huh.

14 Q You have to answer yes or no so that the Court Reporter
15 can take it down.

16 A (WITNESS WOZNIAK) Yes.

17 Q All right, sir.

18 A (WITNESS WOZNIAK) But, again, in the Comstock vault,
19 these PTL transmittal records are attached to the Form
20 19's with that QC tracking record on it; and also a
21 further means would be to use that request number, which
22 is, in fact, a date --

23 (Indicating.)

24 Q All right, sir.

1 A (WITNESS WOZNIAK) -- in the upper right-hand corner.

2 Q A QC tracking record is simply a rubber stamp that's put
3 on a Xerox copy of the original checklist when the
4 Comstock document people attempted to assemble document
5 packages for each hanger where the original inspections
6 had been on the basis of grid or multiple hangers?

7 A (WITNESS WOZNIAK) Okay.

8 Q Do you agree with that, sir?

9 A (WITNESS WOZNIAK) I was not involved intimately in
10 their document preview program, but that sounds like a
11 logical explanation.

12 Q All right, sir.

13 You are being helpful, Mr. Wozniak.

14 What is your involvement with the data compilation,
15 if any, that you are going through here?

16 A (WITNESS WOZNIAK) The data compilation?

17 Q Yes.

18 The data compilation, the effort to associate CSR
19 data with Comstock inspections.

20 Have you had any involvement in this task?

21 A (WITNESS WOZNIAK) Well, as Dr. Kaushal, I believe,
22 wrote in some of his revised testimony, at his request I
23 had done some tasks for him, but I was not involved in
24 the total data compilation as per se. You know, I did

1 not formulate all the data that we're using as the
2 Kaushal Attachment 4.

3 Q All right, sir.

4 You didn't do the data compilation, but you had
5 some handling of the documents, I take it, involved in
6 reviewing that compilation?

7 A (WITNESS WOZNIAK) Yes; just recently, yes.

8 Q All right, sir.

9 Now, again, which welds did Mr. Martin inspect?
10 What are the -- what are the 152 welds that Mr. Martin
11 inspected?

12 A (WITNESS WOZNIAK) As I've said, on the hanger
13 installation record that would have been submitted for
14 his inspection, he would have inspected the welds that
15 were installed. Okay.

16 One has to assume, from this document, that he
17 inspected all the welds that were required by the rev of
18 the drawing referenced on the hanger installation
19 record.

20 Q All right, sir.

21 The CSR item has 128 welds according to Dr.
22 Kaushal's Attachment 4.

23 A (WITNESS WOZNIAK) Okay.

24 Q And you assume that Mr. Martin inspected all of those

1 128 welds? That's the assumption made by associating
2 the entire results of the CSR weld inspection with Mr.
3 Martin; correct?

4 A (WITNESS WOZNIAK) That may be true.

5 I'd like to, at this point in time, point something
6 out.

7 Some of the other projects I've been on count welds
8 in a different manner.

9 Now, Mr. Shevlin might be able to answer this
10 question a little farther with respect to a given
11 structural member that has two weldments on it. Is that
12 one weld or two?

13 Q Sure.

14 A (WITNESS WOZNIAK) How Comstock counted that as a weld,
15 how BCAP counted it as a weld, I'm not a Welding
16 Inspector on this project.

17 Q I see.

18 Can you clear that up for us, Mr. Shevlin?

19 We've got 128 welds counted on this CSR item. Mr.
20 Martin says he did 152 welds on this grid.

21 How do we know that he inspected the 128 that were
22 on the CSR Capable Pan Hanger 104?

23 A (WITNESS SHEVLIN) I don't think I can prove that from
24 the documentation.

1 Q All right, sir.

2 Dr. Kaushal, do you have anything to add to that,
3 sir?

4 A (WITNESS KAUSHAL) Mr. Guild, the assumption here is
5 that the 152 welds represent all the welds there were on
6 the hanger. That was a complete inspection.

7 Q All right, sir.

8 That's an assumption -- I'm sorry, sir. Did you
9 complete your answer?

10 A (WITNESS KAUSHAL) Excuse me.

11 Now, in terms of whether those 152 welds would
12 correlate with our 128 welds, one would have to figure
13 out how exactly they counted the welds at that time.

14 Sargent & Lundy had a well-defined systematic way
15 of counting the welds so that they will all be
16 consistent.

17 Whether that was exactly identical to the way
18 Comstock counted those 152 welds we have no way of
19 nothing.

20 Q You simply don't know which welds Mr. Martin inspected
21 of the 128 that are shown on your CSR Cable Pan Hanger
22 104?

23 A (WITNESS KAUSHAL) Well, what we do know is that the
24 documentation indicates that the hanger was completely

1 inspected -- that's what the documentation implies --
2 and 128 is simply our count of what complete inspection
3 is.

4 Q Yes, sir.

5 Could you answer the question more directly.

6 Do you know whether Mr. Martin inspected all 128
7 welds on your CSR item?

8 A (WITNESS KAUSHAL) Mr. Guild, the only way I have to go
9 at it is from the documentation.

10 I would not know, no, exactly what he inspected.

11 Q All right, sir.

12 Mr. Martin's transmittal to PTL says he inspected 5
13 hangers that contained a total of 152 welds.

14 Your cable pan hanger is one item. It had a 128
15 welds?

16 A (WITNESS KAUSHAL) That is correct.

17 Q If you assume Mr. Martin inspected all your 128, that
18 leaves 24 welds that Mr. Martin inspected on the 4 other
19 hangers in toto?

20 A (WITNESS KAUSHAL) And what I indicated to you in my
21 last response is that the consistency in counting the
22 welds, speaking of Sargent & Lundy and the manner in
23 which Comstock counted at this time, we cannot
24 recreate --

1 Q All right, sir.

2 A (WITNESS KAUSHAL) -- but our expectation is that that
3 was a complete inspection.

4 Q That's your assumption?

5 A (WITNESS KAUSHAL) That's what the documentation would
6 indicate.

7 Q That's your assumption, is it not, sir?

8 A (WITNESS KAUSHAL) Mr. Guild, that's a fairly firm
9 assumption in the following sense:

10 That's the documentation that exists to imply QC
11 acceptance of that particular hanger, so it has to be a
12 complete inspection.

13 Q Well, assuming the accuracy and completeness of the
14 Comstock QC documentation?

15 A (WITNESS KAUSHAL) That's correct.

16 Q All right, sir.

17 Now, let's turn through quickly -- Mr. DeWald,
18 then, is also associated with this CSR item.

19 Mr. DeWald's transmittal form to PTL shows that he
20 inspected 238 welds on that checklist. That appears to
21 be associated with -- I count 19 hangers.

22 Now, do you know whether or not Mr. DeWald's 238
23 welds inspected on 19 hangers represents that he
24 inspected the 128 welds on Cable Pan Hanger 104,

1 Observation 4?

2 A (WITNESS KAUSHAL) Excuse me. I don't have the piece
3 of paper.

4 Now, what was the question, Mr. Guild, and what
5 piece of paper are we on?

6 Q Okay.

7 You've got Mr. DeWald's checklist, Form 19?

8 A (WITNESS KAUSHAL) Yes, yes.

9 Q Following the logic that Mr. Wozniak was explaining,
10 we've got a PTL transmittal form that precedes it?

11 A (WITNESS KAUSHAL) Yes.

12 Q It shows 238 total welds inspected and I counted 19
13 entries of hanger numbers.

14 A (WITNESS KAUSHAL) Yes.

15 Q Now, sir, I want to ask the same question I asked of Mr.
16 Martin.

17 Do you know with certainty that Mr. DeWald
18 inspected the 128 welds on the hanger that is identified
19 as CPH 104?

20 A (WITNESS KAUSHAL) I guess the answer is the same as
21 before.

22 Q All right, sir.

23 Now, PTL performed a sampling overinspection of Mr.
24 Martin's weld inspection, did they not?

1 A (WITNESS KAUSHAL) I'm sorry?

2 Q PTL, Pittsburgh Testing Laboratories, performed a sample
3 overinspection of Mr. Martin's quality control
4 inspection?

5 A (WITNESS KAUSHAL) I believe that's correct, yes.

6 Q And that report, the report of that overinspection, is
7 contained in a two-page document reflecting inspection
8 date of 2/25/82; correct?

9 A (WITNESS KAUSHAL) I'm not on that page.

10 What page number is that?

11 Q Yes. It's AR 00981 and 82.

12 JUDGE GROSSMAN: I think that's 91.

13 MR. GUILD: 91.

14 JUDGE GROSSMAN: 91 and 92.

15 MR. GUILD: 91 and 92, yes.

16 Excuse me.

17 A (WITNESS KAUSHAL) 91 and 92?

18 MR. GUILD: Yes, sir.

19 A (WITNESS KAUSHAL) Yes, sir.

20 BY MR. GUILD:

21 Q PTL found all of their sampled overinspection --
22 overinspected welds acceptable?

23 A (WITNESS KAUSHAL) Yes; I see that, yes.

24 Q All right, sir.

1 Their sampling inspection of Mr. Martin's cable pan
2 hanger weld inspection identified no discrepant
3 inspection items?

4 A (WITNESS KAUSHAL) That's what the paper says, yes.

5 Q Now, let me ask you a general question, Dr. Kaushal.

6 Assuming PTL had identified discrepant items in Mr.
7 Martin's weld inspection, would that item, that cable
8 pan hanger, have been subject to the CSR sampling?

9 A (WITNESS KAUSHAL) That -- that depends on what was
10 found.

11 If it was found and found to be wholly deficient,
12 it might have been dropped, but if there was -- might
13 have been. Again, that depends on whether that
14 knowledge is there up front; but if there are one or two
15 welds defective and there is an outstanding NCR on that,
16 that would not preclude that item from being included in
17 the sampling.

18 Q Well, let's be more precise.

19 Of the 128 welds -- assume hypothetically of the
20 128 welds on this particular capable pan hanger, let's
21 say PTL did their 10 percent overinspection and happened
22 to catch 13 welds, and of the 13, they found 1
23 discrepant weld.

24 Now, assuming those results of the PTL

1 overinspection, would that hanger, with those welds,
2 have been included in the CSR sampling?

3 A (WITNESS KAUSHAL) That would not be a reason for
4 exclusion that I can think of.

5 Q All right, sir.

6 If an NCR was initiated as a result of finding one
7 discrepant weld on that hanger, would that item have
8 been included in the CSR sampling?

9 A (WITNESS KAUSHAL) Again, I would not consider that an
10 automatic reason for exclusion of the sample.

11 Q How many weld discrepancies would dictate exclusion of
12 the item from the CSR sample?

13 A (WITNESS KAUSHAL) I don't know that. I don't recall.
14 It's a matter of judgment that the numbers applied.
15 I was not personally involved in that.

16 It's a question of whether the item is
17 substantially complete or the item is not substantially
18 complete.

19 Q All right, sir.

20 Well, what if PTL did an overinspection, found
21 adverse results -- I mean, found discrepant weld
22 conditions that hasn't been identified by the Comstock
23 inspector, but no action was taken; in other words, no
24 NCR was initiated, no additional rework was called for.

1 Would that item then have been included in the CSR
2 sample?

3 MR. STEPTOE: I'm sorry.

4 Could I have the question repeated? I lost it.

5 JUDGE GROSSMAN: Sure.

6 (The question was thereupon read by the
7 Reporter.)

8 MR. STEPTOE: Is there a representation by
9 counsel that that occurred?

10 JUDGE GROSSMAN: Well, it's a hypothetical.

11 Is there a problem with that hypothetical?

12 MR. STEPTOE: Assuming that -- yes, it
13 assumes that a non-conforming condition was identified
14 and the appropriate corrective action was not taken.

15 JUDGE GROSSMAN: Are you saying that's an
16 impossibility?

17 MR. STEPTOE: I'm not saying it's impossible,
18 no, of course not; but I'm -- if it's just in a
19 hypothetical -- posed in a hypothetical way, the
20 impression is left on the record that it happened all
21 the time, and I don't know how I can respond to that.

22 JUDGE GROSSMAN: Well, when I said
23 impossibility, is that an extraordinary situation?

24 MR. STEPTOE: I would assume so.

1 I mean, under Appendix B, if you find a
2 discrepancy, you are supposed to document it.

3 Isn't that what the regular practice is?

4 JUDGE GROSSMAN: Mr. Guild, is there any
5 reason to believe that something like that could happen?

6 MR. GUILD: It probably could happen.

7 It is asked as a hypothetical, Mr. Chairman.

8 What I'm trying to establish is what possible PTL
9 outcomes would influence the inclusion or exclusion of
10 an item that was subject to a PTL overinspection from
11 CSR sample, and I posed a case. It's not a case that I
12 can represent occurred. I can't say that it's not
13 possible.

14 We'll talk about the PTL aspects of this rebuttal
15 case later, and I submit that the possibility will
16 become more evident when we talk about PTL; but for this
17 point, I'm only asking hypothetically, assuming the
18 facts that I posed, what would be the treatment of the
19 item for CSR sampling purposes.

20 JUDGE GROSSMAN: Well, let me first ask the
21 witness:

22 In your opinion, could that have occurred?

23 A (WITNESS KAUSHAL) Mr. Chairman, that will be highly
24 irregular if it did occur. I mean, that's a violation

1 of the very fundamental principle on how things are run.

2 If a non-conforming condition is validly
3 identified, it is absolutely imperative that it be
4 identified, that it be recorded.

5 You know, if, in the course of a regular
6 inspection, a PTL inspector finds something, it really
7 has to be recorded; so I'm kind of at a loss to presume
8 that that would ever happen.

9 Now, obviously, somebody can violate some rules and
10 do it; but I have no reason to believe that that
11 happened.

12 MR. GUILD: Mr. Chairman, I don't mean to
13 represent that it did.

14 We will see an item of non-compliance, though, when
15 we talk about PTL that I will -- my recollection
16 reflects showed a circumstance where deficient welds are
17 identified and PTL -- and Comstock could not document
18 that any corrective action had been taken; that neither
19 an expansion of the sample to include other welds
20 performed by that inspector, given the fact that the
21 rejection rate was above the threshold, nor
22 documentation reflecting that the actual discrepant
23 welds had ever been corrected, existed.

24 Now, that was a case that I am recounting on the

1 basis of memory, which may well be faulty, but was an
2 item of non-compliance or was an open or unresolved item
3 identified by the NRC.

4 JUDGE GROSSMAN: Mr. Berry, I seem to have
5 some recollection of something like that, too.

6 MR. BERRY: I believe Mr. Guild's
7 recollection is correct.

8 I believe Mr. Mendez, in Inspection Report 8521,
9 22, documented this very fact.

10 It was either an item of non-compliance or
11 unresolved item; but the general matter that -- example
12 that Mr. Guild just alluded to is, to my recollection,
13 pretty accurate.

14 JUDGE GROSSMAN: Okay. We'll allow the
15 question with the understanding that it's just a
16 hypothesis and it's just really designed to determine
17 what the parameters are that the CSR BCAP program would
18 utilize to determine what action would be taken or not
19 taken there.

20 MR. GUILD: Okay.

21 JUDGE GROSSMAN: Maybe you want to repeat the
22 question.

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

24 BY MR. GUILD:

1 Q Dr. Kaushal, let's just assume -- and this is just a
2 hypothetical now -- just assume these facts are true:

3 The PTL overinspection finds these discrepant weld
4 conditions and no action is taken by way of a
5 Non-Conformance Report or an ICR.

6 You get -- you get the package -- strike that.

7 What action, if any, would be taken by way of
8 including or excluding that component that was the
9 subject of the PTL overinspection from the CSR sample?

10 A (WITNESS KAUSHAL) Mr. Guild, if an inspection was
11 performed and BCAP had no knowledge of it via an NCR or
12 anything else, then, obviously, for BCAP that
13 information doesn't exist and cannot be factored in.

14 Q All right, sir

15 So you wouldn't have included it?

16 A (WITNESS KAUSHAL) That would be the presumption, yes.

17 Q Now, let's take the other case. PTL identifies
18 discrepant weld conditions. They send the hanger back
19 to be reworked.

20 Would the original Comstock inspection of that
21 hanger be included in your CSR results?

22 A (WITNESS KAUSHAL) Are we talking about the original
23 CSR results?

24 I'm afraid I'm not sure I --

1 Q We're talking about your Attachment 4 --

2 A (WITNESS KAUSHAL) -- understand.

3 Q -- your Attachment 4 first.

4 A (WITNESS KAUSHAL) Attachment 4?

5 Q Yes.

6 A (WITNESS KAUSHAL) If the item -- if the item was
7 identified to be discrepant to the point where it now
8 has to be reworked, then the item is no longer complete
9 and QC accepted.

10 That would be -- Mr. Guild, I -- I don't know if
11 there is a specific case. No such specific case was
12 brought to my attention.

13 How that was handled in reality, I would not know.

14 (Indicating.)

15 Q Well, isn't it apparent, though, Dr. Kaushal, if there
16 was a Comstock inspector that did weld inspections on a
17 cable pan hanger, for example, there was a PTL
18 overinspection, and it found a discrepant weld or more
19 than one discrepant weld, an NCR was originated for
20 those discrepant welds that called for reworking that
21 hanger, you would have excluded that item from the CSR
22 sample because it had been the subject of a rework?

23 MR. STEPTOE: May I -- may I ask --

24 JUDGE GROSSMAN: Excuse me.

1 Are we talking now about the NCR still being open
2 or the rework having been done?

3 MR. GUILD: That's a good question, Mr.
4 Chairman.

5 JUDGE GROSSMAN: I thought we had the rules
6 if the NCR is still open, then it would not have been --
7 the observation would have not been valid, according to
8 what we heard the other day and what we read.

9 MR. GUILD: All right.

10 JUDGE GROSSMAN: If the rework had been done,
11 then the observation would be valid.

12 The question I thought you had originally was what
13 would be done with the original Inspection Report as far
14 as inclusion in Document 4.

15 MR. GUILD: Exactly that is the question,
16 Judge.

17 A (WITNESS KAUSHAL) I'm afraid I'm --

18 JUDGE GROSSMAN: Have you forgotten that
19 question?

20 Assume that there was an NCR and that rework had to
21 be done and rework was done, and there was a second
22 inspection then which accepted that item.

23 When BCAP went back and inspected that item, I
24 would assume certainly the second Inspection Report

1 would be included --

2 A (WITNESS KAUSHAL) Yes, sir.

3 JUDGE GROSSMAN: -- in your observation
4 report or whatever the nomenclature is.

5 Now, the question is:

6 What would be done with the first Inspection
7 Report?

8 A (WITNESS KAUSHAL) Your Honor, in this case, inasmuch
9 as the item has been since then reworked, the BCAP
10 reinspections can no longer be compared to the
11 inspection that was done prior to the rework, so it
12 would not be appropriate to include it.

13 JUDGE GROSSMAN: Okay.

14 MR. GUILD: Fine.

15 BY MR. GUILD:

16 Q Do you know in how many cases, Dr. Kaushal, those
17 circumstances occurred?

18 A (WITNESS KAUSHAL) I would not know that, Mr. Guild.

19 MR. GUILD: Mr. Chairman, we're at the
20 quitting time.

21 What I would like to do is have the rest of this
22 document simply identified before we adjourn.

23 JUDGE GROSSMAN: Well, something that puzzles
24 me, because I thought that these two inspections -- oh,

1 I'm sorry.

2 The document we're talking about now, Intervenors'
3 155, I take it there was no rework on the original
4 DeWald inspection, but it was reinspected by Mr. Martin
5 because of -- no, I'm not sure.

6 Now, were there two inspections on this document?

7 A (WITNESS KAUSHAL) Mr. Chairman, I could not give you
8 an answer on that.

9 For the purpose of the data that was compiled,
10 there were two inspection reports without any indication
11 of rework in between, so they were both included in the
12 data base.

13 (Indicating.)

14 The presumption in this case is that for some
15 reason or another, one inspector inspected it and
16 another inspector inspected it, again without really
17 needing to do it. That's the only presumption -- that's
18 the only assumption we could make in this case.

19 (Indicating.)

20 JUDGE GROSSMAN: Okay, fine.

21 That's a complete answer.

22 Mr. Guild, now, did you want to offer Intervenors'
23 155?

24 MR. GUILD: Yes.

1 Let me just simply get the rest of it identified.

2 There are some extra portions, and I won't go into
3 details, but I would just like the witnesses to identify
4 for the record what's in the package.

5 BY MR. GUILD:

6 Q If you turn, gentlemen, past Mr. DeWald's Inspection
7 Report, there appears to be a document of two pages from
8 Phillips to DeWald that is --

9 A (WITNESS KAUSHAL) Would you identify the Bates Number,
10 please?

11 Q Yes, sir. It is AR 3996 and 97.

12 A (WITNESS KAUSHAL) Yes.

13 Q It appears to be part of a document review program.

14 A (WITNESS KAUSHAL) I read the letter, yes.

15 Q Okay.

16 Is that what it is? Does it document the review
17 of documents associated with these components?

18 A (WITNESS KAUSHAL) I believe that's true; but it says,
19 "See attached sheets," and I don't whether the following
20 pages are attachments to that or something else.

21 Q Well, that's correct, it's simply unclear.

22 The following sheets after the two-page document
23 review results is a QC installation inspection checklist
24 signed by Mr. Chuck Taylor, December 14, '82.

1 Does that relate to the component that's identified
2 as CSR 104 -- CPH 104?

3 A (WITNESS KAUSHAL) That seems to be something else.

4 JUDGE GROSSMAN: We seem to be at an impasse
5 here, Mr. Guild.

6 Do you wish to get this information so you can
7 prepare your testimony for tomorrow --

8 MR. GUILD: Yes, sir, I do.

9 JUDGE GROSSMAN: -- or your examination?

10 MR. GUILD: I'm looking for an explanation if
11 the witnesses know it.

12 If they don't, I'll understand.

13 A (WITNESS KAUSHAL) Was there a question still pending?

14 BY MR. GUILD:

15 Q Yes.

16 I was trying to get you to identify what the
17 documents were that follow Mr. DeWald's Inspection
18 Report and whether they bear any relation to the CSR
19 sample item.

20 A (WITNESS KAUSHAL) You see, this one here talks about
21 document review and then refers to Hangers H110, H107
22 under Item 16, which are not -- which is not the hanger
23 that we've been talking about.

24 MR. GUILD: Mr. Chairman, there may be no

1 explanation. It was simply given to me as a package for
2 104.

3 I don't know whether there is any relationship at
4 all.

5 I'm somewhat in the dark as well and simply trying
6 to understand.

7 JUDGE GROSSMAN: Well, no.

8 My question was maybe the panel ought to look at
9 the document overnight so they can tell you what they
10 know about it in the morning, unless you need it in
11 order to prepare your examination.

12 MR. GUILD: Yes, I was hoping to have an
13 explanation so that I could prepare based on that
14 explanation; and it seems to simply be beyond the
15 knowledge of the witnesses.

16 JUDGE GROSSMAN: Okay. So you won't get
17 that, but at least we might get something in the
18 morning, then.

19 MR. GUILD: Yes, sir.

20 JUDGE GROSSMAN: Okay. Why don't we, then,
21 adjourn, and we will show Mr. Miller and Mr. Guild the
22 in-camera document.

23 So we'll adjourn until 9:00 o'clock tomorrow
24 morning.

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(WHEREUPON, at 5:10 P. M., the hearing of
the above-entitled matter was continued
to the 7th day of October, 1986, 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

DOCKET NO.: 50-456/457-OL

PLACE: Chicago, Illinois

DATE: Monday, October 6, 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) Nancy J. Hopp
(TYPED) Nancy J. Hopp

Official Reporter

Reporter's Affiliation