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

DOCKETED
USNRC

'86 SEP 26 P4:49

OFFICE OF SECRETARY
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In the matter of: : Docket Nos. 50-456-64
COMMONWEALTH EDISON COMPANY : 50-457-64
[Braidwood Nuclear Power Station, :
Units 1 and 2] :

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Isham, Lincoln & Beale
Three First National Plaza
51st Floor
Chicago, Illinois
March 4, 1986

Deposition of: DEAN L. PETERSON
called for examination by Counsel for Licensee, Commonwealth
Edison, pursuant to notice, taken before Garrett J. Walsh,
a Notary Public in and for the Commonwealth of Virginia, when

ANN RILEY & ASSOCIATES, LTD.
1625 I Street, N.W. 293-3950 Washington, D.C.

DS03

1 were present on behalf of the respective parties:
2

3 APPEARANCES:

4 For the Licensee Commonwealth Edison Company:

5 DANIEL HEFTER, ESQ.

6 Isham, Lincoln & Beale

7 Three First National Plaza

8 Chicago, Illinois 60602
9

10 For the Intervenors BPI, et al.:

11 TIMOTHY WRIGHT, III, ESQ.

12 109 North Dearborn, Suite 1300

13 Chicago, Illinois 60602
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C O N T E N T S

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Witness:	Examination by:	Page:
DEAN L. PETERSON	Mr. Hefter	4, 87
	Mr. Wright	58, 92

P R O C E E D I N G S

[2:05 p.m.]

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MR. HEFTER: Let the record reflect that this is the deposition of Dean Peterson, taken pursuant to subpoena and pursuant to the applicable rules of the Nuclear Regulatory Commission. Would you swear the witness, please?

Whereupon,

DEAN L. PETERSON

a witness called for examination and, having been first duly sworn by the Notary Public, was examined and testified as follows:

EXAMINATION

BY MR. HEFTER:

Q Would you state your name and address for the record, please?

A My name is Dean L. Peterson, 18 Richard Street, Kankakee, Illinois.

Q We met a couple of moments ago, but let me introduce myself again for the record. I am Dan Hefter. I am with Isham, Lincoln, and Beale, the attorneys for Commonwealth Edison Company in the licensing proceeding of Braidwood.

1 Mr. Peterson, have you ever had a deposition taken
2 before?

3 A No.

4 Q Okay. I'll explain a little bit about the procedure
5 that we will be following here today. This is testimony, just
6 as if you were sitting in a witness box in a courtroom or
7 before the licensing board. Everything you say is being taken
8 down by the court reporter, as is everything I say or counsel
9 for the Intervenors here.

10 After the deposition, it will all be transcribed and
11 you will be able to take a look at it if you like and correct
12 any errors that may appear in the transcript.

13 The testimony you're giving here today may well be
14 used in this licensing proceeding or even possibly in another
15 proceeding at some time. So it is very important that your
16 answers be as accurate as possible. So if there's any
17 question that I ask you that is badly phrased or you are not
18 clear what it means, please ask me to rephrase it so that when
19 the answers are given they are accurate to the best of your
20 ability, all right?

21 A Okay.

22 Q The last thing is you have to answer all the

1 questions out loud because the court reporter can't take down
2 a nod of the head or anything like that.

3 A Okay.

4 Q Mr. Peterson, can you tell me by whom you're
5 employed?

6 A Bestco.

7 Q You're a quality control inspector at the Braidwood
8 site?

9 A Yes.

10 Q You began your employment with Bestco in July of
11 '85, is that right?

12 A Correct.

13 Q And before that you were a quality control inspector
14 with L.K. Comstock Company?

15 A Yes.

16 Q How long were you a quality control inspector with
17 L.K. Comstock?

18 A I started December 8th, 1983.

19 Q Are you presently a level 2 inspector?

20 A Yes.

21 Q And when you worked for Comstock, were you also a
22 level 2?

1 A Yes.

2 Q The whole time you were with Comstock?

3 A Yes.

4 Q What did you do for a living before December 8th, of
5 '83?

6 A For about seven years previous to that, I worked
7 as a level 2 radiographer, ^{magnetic} ~~magnate~~ particle and ^{dye} ~~penetrate~~ ^{nt}
8 inspector.

9 Q Where was that?

10 A Mostly for a company called Twin City Testing and
11 Engineering Lab. They're based out of St. Paul.

12 Q And prior to going to work for Twin City Testing,
13 what did you do?

14 A I went to the District 1 Technical Institute in Eau
15 Claire and graduated.

16 MR. WRIGHT: In what please?

17 THE WITNESS: I went to the District 1 Technical
18 Institute in Eau Claire, Wisconsin.

19 MR. WRIGHT: A-u-c-l-a-i-r?

20 MR. HEFTER: He wants to know how to spell it.

21 THE WITNESS: Oh, I'm sorry. E-a-u C-l-a-i-r-e.

22 BY MR. HEFTER:

1 Q What kind of a school is that?

2 A It's a technical school. It was a one year course
3 in precision inspection and non-destructive testing.

4 A And when you finished that course, did you receive
5 some sort of certification?

6 A Yes, the regular one year degree that they give you
7 for graduating from that.

8 Q And I take it then it was when you went to work for
9 Twin Cities that you were first certified as a level 2
10 inspector?

11 A Yes.

12 Q What is the job of a quality control inspector?

13 A Basically we make sure that the components that
14 we're out there to inspect are put in per the current design
15 standards and company procedures.

16 There are various things we can inspect. It depends
17 on what you're certified for. Currently I am certified to do
18 welding inspections, concrete anchor inspections, and
19 electrical inspections.

20 Q And is the purpose of the inspections you make to
21 make certain, to the best of your ability, that the plant is
22 built in accordance with all quality standards and all

1 procedures?

2 A Correct.

3 Q Is it the job of a QC inspector to report to
4 responsible people any conditions adverse to quality that that
5 inspector notices in the field?

6 A Yes, definitely.

7 Q Have you always done that?

8 A Yes.

9 Q Is there any occasion, either in your work at Twin
10 Cities or at Braidwood, on which you were aware of a condition
11 that you considered to be adverse to quality and did not
12 report it to responsible persons?

13 A Never.

14 Q Is there any occasion -- has there been any occasion
15 in your work, either at Braidwood or at Twin Cities, on which
16 you did not -- to the best of your ability -- carry out your
17 function to make certain that things that you were sent to
18 inspect met all applicable procedures and standards?

19 A To the best of my knowledge, every day I tried to
20 perform to the best of my ability. I'll never say I'm a
21 perfect human being by any means, but yes, I have always tried
22 to do the best job I could.

1 Q There was no time at which you were ever dissuaded
2 from doing the best job you could, due to any kind of pressure
3 from anyone?

4 A No.

5 Q Was there any time at which you failed to express
6 any concern you had about quality or safety at the Braidwood
7 plant, due to any pressure that you perceived from anyone?

8 A Could you repeat that again, please?

9 Q Sure. Has there ever been a time, at the Braidwood
10 plant, that you failed to report any concern that you had
11 about quality or safety due to any pressure that you felt from
12 anyone?

13 A Any defects or non-compliances that I ever found, I
14 have definitely reported. I may have had different feelings
15 as far as how they were running the show, or how they could
16 have made it possibly a little better, as far as traceability,
17 but if you are speaking of actual defects no, I have never
18 failed to report any of those.

19 Q All right.

20 A I don't know if I answered your question right or
21 not.

22 Q Possibly so. Let's find out.

1 Is there anything, any condition, that you have ever
2 felt constituted a quality or safety concern to you that you
3 failed to report due to feeling any pressure from anyone?

4 A Due to feeling any pressure from anyone? Oh, no.

5 Q Okay. Mr. Peterson, you received a subpoena for
6 today's deposition, did you not?

7 A Yes, I did.

8 Q And the subpoena requested that you bring with you
9 certain documents, if you had them in your possession?

10 A Yes, it did.

11 Q Did you make a search for documents responsive to
12 the subpoena?

13 A Yes, I checked. I have gotten some things in the
14 mail. I either misplaced them or, to the best of my
15 knowledge, I threw them away.

16 Q Do you know what the documents were?

17 A There were some documents that I had received from
18 BPI and the NRC.

19 Q The NRC documents were a cover letter with an
20 inspection report, is that correct?

21 A To the best of my knowledge, yes.

22 Q What were the BPI documents that you received?

1 A I believe, to the best of my knowledge, that one of
2 them was their concern over the release of certain names to
3 CECo and Comstock Management about certain inspectors. They
4 were more or less trying to tell me that they would try to see
5 to it that those names would not be released.

6 Q Anything else that you can recall getting from BPI?

7 A That's the main gist of it, I think, was over the
8 inspector identification.

9 Q You were one of a group of inspectors who went to
10 talk to NRC resident inspectors at Braidwood on March 29th of
11 '85, is that right?

12 A Yes.

13 Q What prompted you to do that?

14 A Initially, what prompted that was a situation with
15 Rick Saklak. That was, overall, a pretty sad situation in my
16 opinion. They knew they had a problem there. They failed to
17 take care of it, more or less nip it in the bud before
18 something drastic happened.

19 Unfortunately, something drastic did happen. He
20 threatened an inspector. The fortunate thing was that finally
21 they had witnesses there that would stand up and back up the
22 inspector that he threatened.

1 The word had gotten out that some people had gone
2 over, and he had gone over to talk to the NRC about it and the
3 NRC had said well, if you feel that there is any other people
4 that have concerns or feel strongly about this matter, tell
5 them they are welcome to come over today. So I came over
6 there.

7 Most of us were quite upset over what Saklak had
8 done, and the fact that he had berated and intimidated
9 inspectors throughout the year and had constantly gotten away
10 with it. And we saw this as an opportunity to finally take
11 care of the situation and see that something was being done.

12 Q The inspector who had the incident with Saklak that
13 touched this off was Rich Snyder?

14 A Yes.

15 Q You said that Saklak had intimidated inspectors
16 throughout the year, are those your words or something like
17 that?

18 A Yes.

19 Q What do you mean by that?

20 A He was very prone to a hot temper. When things
21 didn't go his way he was more apt to try to argue it out
22 through loud words and boisterous behavior as to simply

1 talking it straight out and trying to solve the problem other
2 ways.

3 I have seen instances where he was wrong and argue
4 with somebody and it would seem like the more he would
5 continue to lose arguments, the louder he got. That's just
6 the type of person he was. It apparently got the best of him
7 one day.

8 Q What I am trying to zero in on is what you meant by
9 the word intimidated. That was the word you used in answer to
10 a prior question. What did you mean when you said that?

11 A Well, he would always yell and become very loud if
12 an inspector didn't agree with him on an issue and order him,
13 very loudly, to do something in the manner that he wanted him
14 to do it, even though the inspector was acting on sound
15 reason and would try to tell him calmly that I'm ^{not} allowed to do
16 this. This isn't in the procedure.

17 It didn't seem to phase Rick at all.

18 Q So that what you meant when you said intimidated was
19 yelling at an inspector to get the inspector to do things the
20 way Saklak wanted it. Is that fair?

21 A Yes. I was a witness to him doing this in specific
22 instances that I can remember, to a fellow that Rick wanted

1 him to close out what they call an ICR, Inspection Correction
2 Report. The inspector told Rick that he could not do this at
3 the time because there has been no changes to the drawing.

4 Rick informed the inspector that there was a meeting
5 that had been held concerning this, that it was going to be
6 taken care of, so just go ahead and sign off the ICR. The
7 inspector informed him that he couldn't sign it off until he
8 actually seen something in writing.

9 The more he talked, the more angry that Rick Saklak
10 got and it finally ended up with Rick pointing his finger down
11 at the guy and simply yelling at him, just sign it off, just
12 sign it off, just sign it off.

13 And the inspector looked at him and said well, why
14 don't you sign it off. Rick was supervisor at the time. And
15 Rick says, well, I can't. I'm not certified to do that. And
16 the inspector told him, I rest my case and walked out the
17 door.

18 Q Who was the inspector involved in that incident?

19 A Mike Mustered.

20 Q And as I understand your testimony, he did not do
21 anything ^{im}proper, in response to Saklak's yelling. Is that
22 right?

1 A No. I was there during the whole incident and -- in
2 fact, I was very pleased at the way Mike handled it and the
3 way he behaved.

4 Q Are you aware of any incident in which Saklak used
5 intimidation, as you have described, to attempt to get an
6 inspector to do something that was not proper, other than the
7 one you've just described?

8 A Nothing that I could be specific about. I wouldn't
9 care to say anything without having a better recollection of
10 it.

11 Q So your testimony is you don't have a clear
12 recollection of any other occasion on which Saklak used
13 intimidation to try to get an inspector to do something
14 improper, is that right?

15 A Not offhand, right now. No.

16 Q If you think of anything else, during the course of
17 this deposition, please let me know?

18 A Okay.

19 Q Are you aware of any situation in which anyone other
20 than Saklak, who was a member of LKC management intimidated or
21 attempted to intimidate any quality control inspector?

22 A Outright intimidation, no. Not that I'm aware of.

1 Q I'm using intimidate in the sense that you defined
2 it, which is yelling at someone to get them to do something
3 improper.

4 A In that sense, Rick pretty much had that market
5 cornered.

6 Q You've given me one instance in which he did that
7 unsuccessfully, right?

8 A Correct.

9 Q Are there any others, that you know of?

10 A I'm trying to think back over the last two years,
11 right now.

12 Q Take all the time you need.

13 A There has been so much that has happened on that
14 job. I would have to say that would be the only instance I
15 was actually a witness to, of what I would call outright
16 intimidation.

17 Q You say outright intimidation. Is there something
18 other than outright intimidation that you would still classify
19 as intimidation that you do know about?

20 A Well, no. I didn't mean it that way. I just meant
21 that would be the only instance I could speak, as far as
22 seeing him intimidate an inspector.

1 Q Let's broaden the word intimidation a little bit.
2 So far we have been talking about it in terms of yelling at
3 someone to get them to do something improper.

4 A Other than what you've already testified to, are you
5 aware of Saklak or anyone else from LKC management ever using
6 any kind of threats or intimidation to get anyone from the QC
7 inspector staff to do anything improper?

8 A Not really. The only thing I would say would come
9 close to it is certain things that were said in order to maybe
10 get a guy to hurry up the inspection process.

11 Q Okay. Tell me about that.

12 A And as far as getting them to do anything improper,
13 I don't want to leap to that because even though there might
14 have been insinuations made or statements made to get us to
15 hurry up and get this done and get that done, myself and I
16 believe the others wouldn't allow that to actually affect
17 their work.

18 Q So what you're saying was there was pressure from
19 management to get things done in a timely manner, but that
20 never affected the quality of your work, or anyone else's that
21 you know of, is that right?

22 A Correct.

1 Q Other than what you've previously testified to, are
2 you aware of any member of LKC management ever using any
3 threats or intimidation of any kind to get anyone from the QC
4 inspector staff to do anything improper?

5 A I guess the only thing I ever had at issue with them
6 was their idea that you could get certain things done in half
7 the amount of time that it actually took. I can't really say
8 yes to that, because I don't believe that their idea was to
9 get you to actually speed through things and not worry about
10 the quality. I would hate to think that was their attitude.

11 I just feel their attitude was let's just get it
12 done now and get it done as quickly as possible.

13 Q I will get into the pressure to get things done
14 quickly in just a minute. But before we leave this subject, I
15 want to get a firm answer, one way or the other, as to whether
16 you are aware of any instance -- other than the instance with
17 Mr. Mustered that you've already testified to -- in which
18 anyone from LKC management ever used threats or intimidation
19 of any kind to attempt to get a QC inspector to do anything
20 that was not proper?

21 A No, nothing that I was witness to.

22 Q Do you know of anything that someone told you about?

1 A Well, on a job site like that, you constantly hear
2 rumors. I mean, it's just a daily thing.

3 Q Have you heard a rumor about --

4 A There were always rumors going on there because of
5 the bad feelings between management and the inspectors. There
6 was always some kind of rumor popping up and I finally got to
7 the point where I didn't believe anything unless I saw it with
8 my own eyes. It was getting out of hand.

9 Q You found that some of the rumors were not true?

10 A Correct.

11 Q Can you recall any rumors you heard about any
12 instance in which any member of LKC management used threats or
13 intimidation of any kind to attempt to get a QC inspector to
14 do something improper?

15 A To the best of my knowledge, right now, no.

16 Q Let's talk a little bit about Comstock's desire to
17 get inspections done in a timely manner. I believe you said
18 that you felt there was some desire on management's part to
19 speed things along, is that right?

20 A Correct.

21 Q Is there any instance -- strike that.

22 Do you know of any instance in which that desire to

1 get things done quickly or in a timely manner impacted
2 adversely on the quality of the plant?

3 A I can only speak for my own work. Never, as far as
4 my own work.

5 Q And do you know of any instance in which it impacted
6 adversely on the quality of any other inspector's work?

7 A Not that I could say for sure, no.

8 Q When you say not that you could say for sure --

9 A I guess I'm just getting at, I don't know what's
10 in their head or how they were affected by all this.

11 Q Has anybody ever told you, any other QC inspector
12 ever told you that due to any perceived pressure to get things
13 done quickly that that person's work quality suffered?

14 A No, nobody has ever told me that.

15 Q So you have no basis --

16 A I have no reason to believe that it ever has
17 affected quality.

18 Q Okay Are you aware of any instance in which any
19 Comstock QC inspector, who has expressed any safety or quality
20 concerns, has ever been subjected to harassment, intimidation,
21 retaliation or discrimination because of his expression of
22 those concerns?

1 A Offhand, no.

2 Q Are you aware of any pressure brought upon any
3 Comstock QC inspector to approve deficient work?

4 A No.

5 Q Are you aware of any instance in which pressure was
6 brought on any Comstock QC inspector to sacrifice quality for
7 production and cost considerations, or to knowingly violate
8 established quality procedures?

9 A No.

10 MR. WRIGHT: No to which one? I think there were
11 two questions.

12 MR. HEFTER: I'll break them up, if you like.

13 BY MR. HEFTER:

14 Q Are you aware of any instance in which any pressure
15 was ever brought on any Comstock QC inspector to sacrifice
16 quality for production or cost considerations?

17 A Now that I've started to think back on all this, the
18 main instance I could think of in that case, and I'd like to
19 state clearly that I'm talking hearsay, would be the instance
20 of Rick Martin.

21 Q What do you know about Rick Martin?

22 A From what I've been told he was originally one of

1 the first welding inspectors they had. At one time, he was
2 the only welding inspector they had. There is a whole story
3 there.

4 There is a situation there where I honestly believe
5 that their main goal was to get him to go out and accept as
6 much work as he could as quickly as he could. It was simply a
7 case of being undermanned. And I think, in some cases -- this
8 is not meant as any personal reflection towards Rick -- but I
9 think in certain cases, undermanned and undertrained.

10 Q What do you know about the situation with Rick
11 Martin that leads you to believe that he was ever pressured to
12 sacrifice quality for production or cost considerations?

13 A Well, they had -- at one time -- an overview project
14 going on of welding and I know that the amount of work that he
15 did in that plant is amazing. It's almost incredible. Almost
16 anyplace you go in that plant you can see his stamps there,
17 that they use for showing that he inspected it and accepted
18 it.

19 Just from seeing his stamps -- I worked with some
20 overview projects and we come across his stamp quite often,
21 not just in that but in other areas also. So it's --

22 Q So you know that Rick Martin was doing a lot of

1 work?

2 A Yes.

3 Q What is it that leads you to say that he was
4 pressured to sacrifice quality for production or cost
5 considerations?

6 A Well, I hate to go outright and say quality, maybe
7 mostly as a cost consideration, to get him to keep up to the
8 craft and not get too far behind. I'm sure they didn't want
9 him to get too far behind, because of the fact they would get
10 pressure from the NRC.

11 Q I'm trying to determine what you based your
12 statement on before that Rick Martin was subjected to pressure
13 to sacrifice quality for production or cost considerations.
14 So far you've told me that you know Rick Martin did a lot of
15 work in the plant. Do you know any other facts that would
16 support the statement that he was pressured, at some time, to
17 sacrifice quality for production or cost considerations?

18 A I would never say that he actually did. I don't
19 think that he ever did sacrifice quality. I just think the
20 underlining tone was there that when you give a person the
21 amount of work that they gave him -- as far as what I could
22 tell from what was told to me now -- that somebody that wants

1 to do a good job and keep in the good graces with the company
2 would obviously work as hard as they could or, in some cases,
3 run as hard as they could.

4 And I'm not saying that Rick, himself, sacrificed
5 quality because of that. I guess my main worry is that
6 possibly quality could suffer because of that -- because of
7 that kind of attitude by management to hurry up and get it
8 done. There is that chance that quality can suffer.

9 I'm certainly not saying quality did suffer.

10 Q How do you know that there was the attitude by
11 management that Martin should hurry up and get it done? Did
12 you talk to someone from management about that?

13 A No, never management.

14 Q Who did you talk to?

15 A Just different inspectors who had been in the
16 overview project. Different inspectors who came in shortly
17 after Rick did. It was just more or less the word was out
18 that he had more work than he could handle and was more or
19 less told to get the work done.

20 Q So really all that you know about the Martin
21 situation is what you've heard from rumor around the plant, is
22 that right?

1 A Correct.

2 Q Did you ever talk to Rick Martin about it directly?

3 A I've had some conversations with Rick. As far as I
4 recall, we never really directly talked about the subject of
5 inspections and quality affects on them.

6 Q So, just to recap, what you know about Rick Martin
7 is that he did a lot of work, is that right?

8 A Yes.

9 Q And you then surmise or conclude, from the fact that
10 he had a lot of work to do and did a lot of work, that someone
11 from management was pressuring him to do a lot of work. But
12 you don't know that, is that right?

13 A No, I can't agree with that.

14 Q Okay. Tell me where I'm wrong.

15 A I guess because of certain things I've seen, as far
16 as some of the work that was done.

17 Q Tell me what you mean.

18 A Well, back in the earlier years, from what I've seen
19 of the old work that has been done and accepted, it was
20 obvious that not much training had gone into some of the
21 inspectors, as far as checking to see that the hangers and
22 other components they were checking were installed exactly per

1 detail. And by "per detail" I mean according to current, or
2 then current, drawings and specifications.

3 It's just become obvious to me, after working there
4 for two years and being involved in certain overview projects
5 and looking at things that other people have done -- I'm not
6 saying now or even in the last couple of years, but way back
7 in the earlier years, I do believe there was a problem as far
8 as the inspectors insuring that everything was installed per
9 design.

10 Q That work has all been reinspected now, hasn't it?

11 A I believe so. There is massive overinspection
12 programs, so actually if there was anything critical that
13 needed to be looked at it would have been caught by now.

14 Q What I'm saying is the work that you said that you
15 saw that you didn't think was per detail drawings and that
16 kind of thing, that's all been reinspected since that time,
17 right?

18 A It should have been, according to all the overview
19 projects that they've had going on, yes.

20 Q Other than anything you've previously testified to,
21 are you aware of any pressure ever brought on any Comstock QC
22 inspector to sacrifice quality for production or cost

1 considerations?

2 A Would you repeat that question again, please.

3 Q Sure. Other than anything you've already testified
4 to today, are you aware of any pressure that has ever been
5 brought on any Comstock QC inspector to sacrifice quality for
6 production or cost considerations?

7 A No, I'm not aware of that.

8 Q Are you aware of any pressure that's ever been
9 brought on any Comstock QC inspector to knowingly violate
10 established quality procedures?

11 MR. WRIGHT: I have an objection, or rather a
12 clarification. Are you saying anything other than he's
13 already testified to?

14 MR. HEFTER: I don't believe he's already testified
15 to anything in that category.

16 MR. WRIGHT: I believe he has.

17 MR. HEFTER: So let me just leave the question has
18 it has to.

19 MR. WRIGHT: I have an objection. I think some of
20 the instances that he did testify to would have been examples
21 of that. I think the record will speak for itself in that
22 regard.

1 MR. HEFTER: Let me just explain the procedure
2 here. Since the Licensing Board is not sitting here in the
3 room with us, we just make objections for the record and at
4 later time, if it becomes necessary, the Board will rule on
5 them.

6 So you just go ahead and answer over the objection.

7 Do you want to hear the question again?

8 THE WITNESS: Yes.

9 BY MR. HEFTER:

10 Q Are you aware of any pressure that has ever been
11 brought on any Comstock QC inspector to knowingly violate
12 established quality procedures?

13 A The only hard part I have with that question is that
14 there are instances I know where things have been brought to
15 their attention and we were more or less told not to worry
16 about it at this time. If it hasn't been a problem up until
17 now, it's passed audits, don't worry about it. It will get
18 caught during walkdown.

19 Our main point and a lot of inspectors towards
20 management was why not nip it in the bud now. Let's get this
21 taken care of now so that we don't have to have all these
22 reinspection programs or have to worry about possibly getting

1 told later that no, this isn't the right way to do it.

2 That's been one of the main problems, I'm sure you
3 are aware of, that they work on a program for years and all of
4 a sudden somebody comes in and says sorry, you shouldn't have
5 done it this way.

6 It's kind of a backwards way of doing things, in my
7 opinion. And we like to be able to see things that we do get
8 documented, go in the vault, and ~~say~~^{stay} there and be good for
9 that item, instead of somebody coming in later and saying
10 well, this paperwork is incorrect, that we don't have total
11 traceability of this item because of the way your form is
12 here. You'll have to reinspect it now.

13 A lot of us had strong feelings as far as things
14 that can be changed in the system to ensure total
15 traceability, to make sure that after it is inspected and
16 we've accepted it, that that's it, other than the normal
17 overview projects. They shouldn't have to go back and
18 reinspect or rework this thing five or six times.

19 So we have had ideas as far as what they could do to
20 ensure, like I said, traceability, to ensure the paperwork
21 backs up what's out there. In some cases, they have fought
22 those ideas.

1 Now I don't know if that's just from the old adage
2 well, if it doesn't originate from my desk, it's not good or
3 whether they just merely didn't want to take the time to
4 change a certain program or a certain procedure for doing
5 things at that time.

6 I can't really say that they outwardly tried to
7 force -- or blatantly tried to force an inspector to go ahead
8 and sign something off that was bad. I wouldn't say that. I
9 can't say that.

10 I guess some of the things that we've disagreed with
11 them, they have gotten by on, there was enough to go through,
12 although we felt they could have been done better.

13 As far as blatant intimidation or outright trying to
14 get someone to buy off a bad item, I would have to disagree
15 with that. No.

16 Q Can you give me an example of what you were talking
17 about in your last answer of suggestions being made and being
18 told don't worry about, we will catch it later.

19 A Yeah. When I first came to the Braidwood site about
20 two years ago -- over two years ago -- I was pretty amazed at
21 the way things were done. By amazed, I don't mean pleased.
22 They have come a long way since then. Don't get me wrong. I

1 feel the way the program is now they have come a long way. It
2 is going a lot better, they made some definite improvements.
3 In my opinion, they are at the point now where they should
4 have been five years ago.

5 When I first got here, and after I got to know the
6 system, to learn the job more and got into other areas, I had
7 a chance to go into the vault and see some of the old, old
8 reports, the old style report forms they had, and I was pretty
9 amazed at the forms themselves because of the fact that they
10 were more or less almost like a blank sheet of paper some of
11 them.

12 They would have listed the items, like for welding
13 inspections I am speaking of, they would have listed items
14 they would check off for as far as different weld defects or
15 discontinuities, like porosity, fusion, et cetera, and then
16 on the top it was almost a matter of just straight lines, no
17 specific -- they had a few things they asked for but not all
18 the items that they actually needed on the report form were
19 asked for on the form, okay?

20 My opinion is, being that I have been on the
21 inspection side of it for a few years, is that if you want it
22 on the form and it is a daily thing, a normal thing for the

1 inspection, you want it on the form, then by God ask for it.
2 It is as simple as that.

3 They were expecting inspectors to remember to put
4 down a lot of small items -- I shouldn't say small items, but
5 numerous items on the check list that if a fellow had a bad
6 day, which -- who is to say a QC inspector isn't going to have
7 a bad day -- if a fellow had a bad day, or felt bad that day
8 or whatever, he might miss an item or two. Might miss a weld
9 number or forget to list all the specific drawings he should
10 list, and because of that we feel a lot of these old forms
11 aren't a very accurate portrayal of what is out in the plant.

12 They have come by leaps and bounds from what they
13 were, but where they were at before wasn't very good, so --

14 Q All right. When you determined that you thought the
15 form were not complete enough, did you do anything about it,
16 or try to do anything about it?

17 A At one point I went up to Rick Saklak, who was my
18 supervisor at the time, and I had in my hand a whole stack of
19 reports, and I said, ~Rick, look at this stuff here. It is
20 all scribble, and there is no -- you can't tell what actual
21 hanger was done with this inspection."

22 Part of the problem if I can explain this whole bit

1 is that you might go to one room, it might be on one drawing,
2 you might be doing three or four hangers or whatever, and in
3 certain instances hangers have the same number in some cases.
4 You might have thirty hangers with the same number. If the
5 inspector doesn't, when he inspects that hanger, write down
6 the exact location of that hanger according to the drawing,
7 there is no way that anybody has of knowing that that is the
8 exact specific hanger he is talking about, okay?

9 Q All right.

10 A That was part of the problem. They just had hanger
11 numbers listed, no exact coordinates. They would have the
12 grid lines there -- they might have like L to P, 26 to 30
13 room. Well, that is a whole room. Oh my God, that is a lot
14 to pick from there. In some cases they might walk out and
15 have only that one number once in that room, and then it was
16 obvious which one he did, but not always.

17 So, I showed this stack of reports to Rick, and his words
18 to the best of my recollection were, "Don't worry about it, we
19 have gotten away with it so far, and we will catch it during
20 walkdown." Which was a typical phrase, 'We will catch it
21 during walkdown.' Which I had no doubt that they would, okay?

22 I firmly believe in their walkdown processes, and

1 the fact that they do catch a lot of this stuff. It is just
2 that when I see something like that, I think why not try and
3 take care of it now, why not make changes in the system now,
4 so you don't wind up with a five year walkdown.

5 I often said that. And they kept saying well we
6 will catch it during a walkdown, and I said, "My god, you are
7 going to have a five year walkdown for Pete's sake." Just
8 like you keep throwing it in the pile, pretty soon the pile is
9 going to get awful big.

10 Q Okay. Were the items for which you found these
11 check lists that you thought were inadequate subsequently the
12 subject for reinspections?

13 A I am sure they were, yes.

14 Q Is there any other instance that you can think of in
15 which you brought to management's attention a problem that you
16 perceived and were told don't worry about it?

17 A Offhand, no. My main problem was just with the type
18 of forms that they had.

19 Q Okay. Are you aware of anyone else, any other QC
20 inspector, going to management with something that that
21 inspector perceived to be a problem and being told not to
22 worry about it, a quality problem I am talking about, for

1 safety?

2 A Right now, to the best of my recollection, no.

3 Q Okay. Are you aware of any inspector who was
4 subjected to any threats of violence because of the inspectors
5 expression of quality or safety concerns about the plant?

6 A The only instance that would even come close to that
7 would be the incident with Rick Snyder and Rick Saklak. Other
8 than that, no.

9 Q Did you witness the Snyder-Saklak incident?

10 A No, I did not.

11 Q So you just know what you were told about it?

12 A I know what I was told about it from ^{Rich} Rick and other
13 witnesses to it.

14 Q Okay.

15 A Excuse me. I should say, 'Rich,' not, 'Rick.'

16 Q I am sorry. Rich Snyder.

17 A Yeah.

18 Q Are you aware of any quality control inspector who
19 was subjected to any verbal abuse as a result of the
20 inspector's expression of quality or safety concerns?

21 A How do you phrase, 'verbal abuse?' Are you talking
22 about -- swearing at the guy, or calling him an idiot, or just

1 merely saying just get it done and don't worry about it, or --

2 Q Anything at all. Anything that you would consider
3 verbal abuse in any sense.

4 A I am trying to think back here.

5 Q Take your time and think back.

6 A To the best of my recollection right now, as far as
7 verbal abuse, I would have to say, no.

8 Q Are you aware of any quality control inspector at
9 Comstock who was ever subjected to termination due to the
10 inspector's expression of any quality or safety concern?

11 A No.

12 Q Are you aware of any Comstock QC inspector who was
13 ever transferred to an undesirable job or work area as the
14 result of any expression of quality or safety concern?

15 A I feel that that has happened at times, although
16 here again I would be operating on hearsay, and just saying a
17 certain person I know may have brought certain ideas to them
18 that they would like to see changed in the program, and might
19 have had conflicts with them on that, and they might have
20 switched them to an area.

21 Q Are you thinking of one person or more than one?

22 A A couple of people.

1 Q Two?

2 A Two, at least.

3 Q Two separate instances?

4 A Yeah.

5 Q Any more than two?

6 A Not that I can recollect right now.

7 Q Okay. Let's take them one at a time. Will you tell
8 me about who the first one was, and what the circumstances
9 were?

10 A The first one would be John Seeders.

11 Q Maybe I can cut this a bit short. Were you privy to
12 any discussions of management involving any decision to
13 transfer Mr. Seeders?

14 A No, I was not in any management discussions
15 concerning him at all.

16 Q Your knowledge of Mr. Seeders transfer, does it all
17 come from discussions with Mr. Seeders?

18 A Some with Mr. Seeders, yes.

19 Q Who else?

20 A Well, like I say, just others -- from talking with
21 other inspectors and listening to the hearsay.

22 Q You never talked to anybody from management about

1 it?

2 A No. No.

3 Q So, anything you know about the Seeders transfer is
4 either what John Seeders told you, or rumor you heard around
5 the plant, is that right?

6 A Correct.

7 Q Okay. And Seeders told you that in his opinion he
8 was transferred due to his expression of quality concerns?

9 A I am trying to refresh my memory here.

10 Q Sure.

11 A As far as expressions of quality concerns, I can't
12 really say, for instance, he brought up a concern, and because
13 of that was transferred. I know he had various run-ins with
14 Rick Saklak. As far as actually being told by him that he had
15 a certain quality concern, and because of that he was
16 transferred, I would have to answer no to that.

17 Q What did Seeders tell you about why he thought he
18 had been transferred?

19 A Well, I believe there was an instance where he had a
20 -- I am not sure exactly of all the details, but I know he had
21 certain feelings about the program that weren't good feelings,
22 and as far as to the best of my recollection, when he brought

1 them out, one of the first things they did when he made
2 allegations against them, one of the first things that
3 management did was they conducted an audit on the
4 calibrations, the project that he was in charge of for a
5 while.

6 They went through a lot of things, and they decided
7 things weren't being done correctly. Now, this is from what
8 he has told me now, that Irv DeWald and Bob Seltmann were
9 telling him, 'What's wrong, why are you doing things this
10 way? You should have been doing them this other way.'*

11 And his response to them was, 'Well, gee, this has
12 only been how many years now,' and now all of a sudden, after
13 he has made allegations, they are suddenly auditing him and
14 they are finding things that they said are wrong^{with} the system
15 that he had set up.

16 Q What allegations had Seeders made?

17 A I know he had made certain allegations. As far as
18 to whom and what they were, I don't really care to say
19 anything on that point right now because that would be working
20 off of memory, and I don't want to state anything unless --I
21 don't really feel I would give a good, accurate description of
22 that right now.

1 Q Are you saying you don't recall what the subject of
2 Seeder's allegations was?

3 A As of this moment, no.

4 Q Okay. How do you know that he made allegations?
5 Did he tell you that?

6 A Yes.

7 Q Is that the only way you know that he made
8 allegations?

9 A Well, it was pretty much -- the word was out. I
10 mean everybody pretty much knew about it.

11 Q And the word was out after Seeders was transferred?
12 Or before?

13 A It was before. Definitely before.

14 Q And you can't remember anything about the subject of
15 the allegations?

16 A Offhand I can't remember right now, no.

17 Q Okay. You said there were two instances that you
18 knew of of transfers to undesirable work areas or jobs due to
19 expression of quality or safety concerns. Seeders was the
20 first. What was the second?

21 A I was thinking Rick Martin, but possibly that would
22 be an incorrect summation of his problem there.

1 Q That is the problem you have already described about
2 Rick Martin, or is there another one?

3 A I guess I can't really say. Rick was -- I can't
4 really say that Rick's transfers were because of his possibly
5 voicing quality concerns to the management, and them
6 transferring him. I have to take that back, I can't say that.

7 Q So, Seeders is the only one you know about.

8 A To the best of my recollection right now, that's all
9 I can think of. There have been so many things said and done
10 in the last couple of years at that site that you kind of
11 learn to try and pass a lot of it off.

12 Q Okay. Again, if you think of any other instances of
13 this before the end of this deposition, feel free to bring
14 them up. Please do.

15 Are you aware of any instance in which any Comstock
16 QC inspector has ever been transferred to an area in which
17 quality deficiencies could not be noted because of the
18 inspector's expression of any quality or safety concern?

19 A Nothing that I can back up with strong physical
20 belief -- nothing that I can back up with strong -- that I can
21 back up by saying that I saw it or privy to any exact
22 information.

1 Q Okay. Let's take things you've heard about.

2 A I'm not saying that they are not beyond that --

3 Q All right. So you know of no instances from
4 your own knowledge, from your own firsthand observance?

5 A From firsthand observance, no.

6 Q Okay. Tell me about anything you know about
7 that you've heard about from someone else. Any instance of
8 someone being transferred to an area in which he could not
9 note quality deficiencies because of an expression of quality
10 or safety concerns.

11 A I would have to say no, to the best of my knowledge
12 right now, since I would say I didn't take notes in the last
13 two years. My feelings that they are beyond that are just
14 based on my feelings from working there and seeing the
15 type of management that they did have, or do have.

16 Q But you can't think of any instance?

17 A I can't pinpoint any specific instance at this
18 moment, no.

19 Q Okay. Are you aware of any Comstock QC inspector
20 who has ever been assigned to perform a burdensome or menial
21 project because the inspector has expressed any quality or
22 safety concern?

1 A No, nothing that I could say from firsthand
2 knowledge.

3 Q Okay. How about anything you may have heard
4 of from someone else?

5 A I knew you were going to ask that.

6 (Laughter.)

7 Q You are catching on.

8 A Like I say, I understand why you are asking that
9 question. I'm obviously going to answer no to both of
10 them. The first one, because I have not had firsthand
11 knowledge; the second one, because I don't know whether it's
12 past hearsay or something that I maybe was told or just
13 scuttlebutt or whatever.

14 I mean, you always hear things, so and so didn't
15 like this and so and so was transferred here or there.
16 But I would never say --

17 Q Well, let me explain that the record is going
18 to reflect everything that we've said here today and it's
19 quite clear that you've already said you know nothing from
20 firsthand knowledge, and my question now is what you know that
21 you were told by somebody else.

22 So, your own knowledge is not on the line here.

1 Your own credibility as to what you saw is not on the line.
2 All I'm asking about is what you may have heard from someone
3 else so that if we decide to do it we can go check it out with
4 the people involved.

5 So, with that understanding, do you know of any
6 instance in which any Comstock QC inspector has ever been
7 assigned to perform any burdensome or menial special project
8 because of his expression of a quality or safety concern?

9 A To the best of my knowledge at this moment, no.

10 Q Okay. Last point on this line. Are you aware
11 of any Comstock QC inspector who has ever been subjected to
12 any kind of adverse treatment as a result of the inspector's
13 expression of any quality or safety concern?

14 A Other than the ones I stated today or -- well,
15 I can't really say I've stated any today I guess.

16 When I made that last comment, I'm referring to
17 the incident with Saklak and Mike Mustered and also Rich
18 Snyder.

19 To the best of my recollection, no.

20 Q Are you aware of any harassment carried out against
21 any Comstock QC inspector which has impugned the integrity or
22 effectiveness of any corrective action program at Braidwood?

1 A Oh, as far as having an effect on getting things --
2 certain things repaired that were --

3 Q Having any adverse effect on any corrective action
4 program in any way?

5 A No, no firsthand knowledge.

6 Q Anything you've heard about from someone else?

7 A No. I guess when I say it that way I guess it's
8 just from my experiences of them and knowing that because
9 of their treatment of people, there is always that possibility
10 of something happening or somebody's work may be suffering
11 because of it. And I don't mean the quality of the work but
12 just maybe the type of work that's suffering from it.

13 I don't feel that that has happened.

14 Q Okay. You are just speculating?

15 A I'm just speculating that that possibility is
16 always there with that type of treatment.

17 Q Okay. All I'm asking you about today is things
18 you know about or have heard about.

19 A Okay.

20 Q No speculation.

21 A Right.

22 Q So, with that understanding, is the answer that

1 you know of no instances of harassment that have effected
2 adversely any corrective action program?

3 A The answer is no.

4 Q No, you do not know of --

5 A No, I do not know.

6 Q Okay. You were with a group of inspectors that
7 went to talk to the NRC resident inspectors at Braidwood on
8 March 29th of last year; is that right?

9 A Yes.

10 Q Okay. I'm sorry, I think I already asked you
11 that, didn't I?

12 A Yeah.

13 Q Okay. Did you have a quality concern to express at
14 that meeting?

15 A As far as a quality concern, as far as anything
16 that I knew that was wrong inside the plant, no.

17 Q Okay. Did you have any other kind of concern
18 that --

19 A Just a concern that because of the treatment by
20 Rick Saklak and his attitude, certain things that were said by
21 some of the supervision as far as overtime being held over
22 their head, as far as quantity inspections that could possibly

1 lead to problem areas, but nothing that definitely did or was
2 a problem.

3 Q Okay. You mentioned two things, overtime being
4 held over inspectors' heads and quantity of inspections,
5 right?

6 A Yeah.

7 Q Okay. Let's take them one at a time. What did
8 you mean when you said overtime was being held over
9 inspectors' heads?

10 A Well, in my case -- and I'm sure this is true
11 in anyplace you work, that they like to see you produce as
12 much as you possibly can, and in some cases they aren't going
13 to award overtime to people that they don't feel are producing
14 what they should.

15 In the case of me, they felt that I wasn't producing
16 the work that I should. They kind of used overtime as a
17 little bait to get me to increase my production.

18 My problem was, I was trying to get them to
19 understand the problems that I was having as far as getting
20 the job done in an efficient manner. The reason for the
21 problem was the paint that was left on the welds.

22 My problem was that I couldn't get them to

1 understand that it took time to remove this paint and that I
2 was seeing, I felt, paint on the welds that they themselves,
3 if they went out and looked at it, would possibly miss.

4 Q How was overtime used as bait for you?

5 A Well, in one instance I was brought into the
6 office of Ken Worthington with John Walters present. He was
7 what they call lead -- my lead at the time. And they
8 expressed discontent as far as the quantity of my work, and
9 what they did was they held up a production sheet from another
10 inspector and kind of more or less flashed it up and said this
11 is what's getting done, put it down and stated their feelings
12 that, you know, I could get more done.

13 I told them that had the welds been properly
14 cleaned -- there was a program going on at the time to get the
15 welds cleaned prior to us looking at them. I said, had the
16 welds been properly cleaned I could have easily doubled if not
17 tripled my production. But I was spending considerable time
18 removing the paint out of the welds.

19 The welds that we were inspecting were what they
20 call cable pan welds. The welds were of galvanized material
21 which were sprayed afterwards by a spray paint called zincate
22 which had the same color as the welds themselves and the pan

1 that they were welding to. The painters would go up and
2 remove this paint, and we would come on afterwards to
3 reinspect the welds.

4 This was another reinspection program going on.
5 When you took a flashlight and shined it at the weld at a
6 ninety degree angle, it appeared that all the paint was gone.

7 However, if you took the flashlight and decreased
8 the angle and held it up more like a twenty-five degree angle,
9 more or less sideways to the weld, it would show up a lot more
10 of the paint, especially in the ^{toe} ~~total~~ of the weld which is the
11 area of the weld between the edge of the weld and the base
12 metal, it would be a lot of paint that would form in there.
13 It's a little bit of a grooved area, and you would have to
14 take a small pick and take all of the paint out of there.

15 There was only -- there weren't that many welds on a
16 cable pan weld. It was only like two to maybe on an average
17 of four welds, sometimes more.

18 But it was just timely getting all of the remainder
19 of the paint taken off.

20 Q So that took you more time than --

21 A Yeah. You know, I tried to explain to them what was
22 going on, and it was more or less falling to deaf ears.

1 So, at a later date I decided, well, I will just --
2 when I see a weld that has paint on it I will just move on to
3 the next one. But in order to find the weld, there was time
4 involved in that, too. So, every time I would find one that
5 had paint on it I would write it down. Of course, generally
6 we had lists to work off of, but I would jot it on my
7 production sheet and write down that it was painted.

8 And one particular day I had something like fifteen
9 to twenty inspections that I had marked down as being painted,
10 and I had performed I believe approximately five inspections
11 and also spent a couple of hours on another project, on a
12 riser ^{collar} ~~color~~ project, at which time the next day, John Walters
13 escorted me to Ken Worthington's office and they were very
14 upset with me and asked me what I was trying to do or
15 whatever, and I told them: Well, you wanted me to increase
16 my production. I'm showing you, this is all the welds that I
17 found with paint on it in an effort to show you that I'm not
18 trying to screw you guys here, that I am working at welds. I
19 said: These have paint on them.

20 And John's response was: Well, I went out and
21 looked at them and they didn't have that much paint on them.

22 And I told them, well, I went ahead and did other

1 inspections, you know. We were also told after this problem
2 with the paint involved and so on, that we could turn them
3 back into them to have paint further removed. And it was
4 obvious to me at that time that anything I said really wasn't
5 going to have any effect on the two of them. So, I more or
6 less told them that, you know, I think a transfer is in order
7 or something, I says.

8 And John stated that he felt I had an attitude
9 problem. And that was basically the end of that meeting.

10 And then also, I think I forgot to mention on
11 the first meeting when Worthington held up the production
12 sheet of another inspector and put it back down, he did tell
13 me, he says: Well, I can't warrant overtime for you as far
14 as, you know, what production you are doing now.

15 Q What did you say that?

16 A I just informed them that I was keeping busy. I was
17 doing work and I had told them so many times, until I was blue
18 in my face anyway, that I had found painted welds and that I
19 was spending time removing paint from the welds. I could see
20 no reason for even getting into it any further anymore.

21 Q Did Worthington offer you overtime if your
22 production would increase, or did he threaten to withhold it

1 if it didn't increase?

2 A It was more like he was threatening to withhold it
3 if it didn't increase. To the best of my recollection, his
4 words were I cannot warrant overtime for you unless your
5 production increases.

6 Q Did your production increase, subsequently?

7 A No, I don't really -- to the best of my
8 recollection, I don't really feel it did. I maybe was a
9 little more careful as far as documenting time that I spent on
10 certain things.

11 Q Were you given overtime, subsequently, anyway?

12 A Eventually, yes.

13 Q Did Worthington's statement about overtime have any
14 effect on the quality of your inspections?

15 A None whatsoever.

16 Q Did Worthington or Walters make any other offer in
17 the event your production increased, or any other threat if it
18 didn't?

19 A No.

20 Q Just the overtime?

21 A Just the overtime.

22 Q You were never threatened with the loss of your job,

1 were you?

2 A No.

3 Q I take it from your testimony today that your work
4 quality never, in any way, suffered as a result of any
5 perception of harassment or intimidation, is that correct?

6 A Definitely not, correct -- I mean, that definitely
7 is correct.

8 Q Let's get the record straight.

9 A I'm sorry. Correct.

10 Q My statement is correct?

11 A Yes.

12 Q Your work --

13 A There was definitely no chance that it ever affected
14 the quality of my work.

15 Q And I also take it, from your testimony today, that
16 there was never an occasion on which you failed to express any
17 quality or safety concern that you had, due to any perception
18 of harassment or intimidation, is that correct?

19 A Correct.

20 Q Prior to this afternoon's deposition, have you had
21 any conversations with Mr. Wright or with anyone representing
22 BPI or the Intervenors?

1 A As far as I remember, I believe I did place a phone
2 call to them once.

3 Q Who did you call?

4 A I don't remember their names. The reason being is I
5 remember I got a letter stating that identities of the
6 inspectors would be brought forward, which the identities are
7 obvious now. I called to express my opinion on the matter,
8 that I didn't want my identity revealed. I felt that neither
9 did any of the other inspectors.

10 The main reason was not so much as what we were
11 worried about, as far as -- let me be specific. The two main
12 reasons I was worried about that was, number one, with
13 reference to Comstock, obviously this isn't a permanent job.
14 Someday, hopefully, the plant will get built. And I would
15 like to be able to have a reference from Comstock.

16 Also, should that become public record, future
17 employers that would see that, that might affect their opinion
18 as far as whether or not to hire certain individuals. Those
19 are my two main reasons for wanting to remain anonymous.

20 Q And that's what you discussed with the person you
21 called from BPI, is that right?

22 A Yes.

1 Q Anything else that you discussed in that telephone
2 call?

3 A To the best of my recollection, that was basically
4 about it.

5 Q And that was the only call that you participated in
6 with anyone from BPI or the Intervenors, that you can recall?

7 A I think -- I only talked to them -- as far as I can
8 remember, twice. The first one was from the first letter,
9 when they said that CECO wanted to get the names of the
10 inspectors and then I believe the second time was -- I believe
11 they sent me a letter stating that the names were very close
12 to being released and that if they didn't receive a phone call
13 ^{from} to me that they possibly wouldn't be able to help me, as far
14 as keeping my name anonymous.

15 I immediately jumped on the phone and called and
16 said do whatever you can, please, to see that my name does not
17 come out.

18 Q Other than those two phone calls, have you had
19 any contacts with anyone from BPI or the Intervenors? And the
20 letter from them, that you already testified to?

21 A To the best of my recollection, no.

22 MR. HEFTER: That's all the questions I have for

1 you.

2 Mr. Wright.

3 THE WITNESS: I have a couple

4 Why don't we take a break, since we haven't had one.

5 [Short recess.]

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EXAMINATION

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BY MR. WRIGHT:

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Q Mr. Peterson, my name is Timothy Wright. I am an attorney for BPI. And I will be asking you a number of questions, some of which are follow up questions, some of which will be original questions under what I suppose will be a volume of objections by my co-counsel.

8

[Laughter.]

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First off, Mr. Peterson, you talked a bit about Mr. Rick Saklak and I think your testimony was to the effect that he berated and intimidated inspectors over the year, is that correct?

13

A Yes.

14

15

Q And one particular situation you talked about was the Rich Snyder situation, do you remember that?

16

A Yes.

17

18

19

Q I'm not sure whether or not you explained exactly what the Rich Snyder situation was. Could you do that for me now?

20

21

22

A To the best of my recollection, the story of Rich Snyder and Rick Saklak is Rick Saklak wanted Rich to sign off an ICR. And Snyder pointed out to Saklak that the ICR

1 document had not been properly dispositioned at that time.

2 Saklak told Snyder that you know what the
3 disposition is going to be. Just go ahead and sign it off now
4 and let's be done with the matter.

5 Snyder knew that this wasn't the proper procedure
6 for doing it and had checked it out with QA and they said you
7 are right, Rich, an item has to be dispositioned prior to QC
8 signing it off. He went back and told Saklak that, to which
9 Saklak got very upset and told Rick if beating were legal,
10 you'd be dead.

11 Q So, in your determination, would that be an example
12 of a QC inspector who is threatened with violence because of
13 his expression of safety or quality concerns?

14 A I don't know if I can really take it that way. Rich
15 was merely trying to follow proper procedure --

16 Q Okay.

17 A -- as far as closure of an ICR.

18 Q Let me ask you this -- did you complete your answer?

19 A All I'm trying to point out is that there is
20 possibly a chance that -- I don't know what the ICR was or
21 anything. There is possibly a chance that once it was
22 dispositioned, Rich fully intended on closing it out because

1 he felt the item was acceptable.

2 I don't know if that constitutes what you're asking.

3 Q Let's talk about it and let's see.

4 There are certain procedures for closing out items,
5 is that correct?

6 A Correct.

7 Q And those are procedures that you, as a QC
8 inspector, have to abide by?

9 A Yes.

10 Q And that's part of quality of an inspection, is that
11 not? Or performing your inspection properly?

12 A It's part of performing my inspection properly, yes.

13 Q And if you didn't perform your inspection properly,
14 could there be a quality problem?

15 A If I didn't perform the actual inspection on the
16 item properly, yes, there could be a problem. As far as the
17 paperwork, if I made a slight error or something on the
18 paperwork, that doesn't necessarily mean that the item I
19 inspected is bad.

20 Q But it doesn't mean that it's good either, does it?

21 A Well that's true.

22 Q Isn't it true that the only way that you can really

1 ascertain the quality of the inspection is by the paperwork
2 that you produced?

3 A Other than actually looking at the item itself,
4 correct.

5 Q Looking at the item?

6 A Right.

7 Q So that's the guarantee that you have. So without
8 the paperwork done properly, you don't know what the condition
9 of the actual inspection is unless you go out and take another
10 look at it?

11 A Correct.

12 Q Okay. So in that sense, that is a quality function,
13 correct?

14 A Yes.

15 Q And with respect to Mr. Snyder, he was attempting to
16 perform that quality function, is that correct, by waiting
17 until the disposition had returned in order to properly sign
18 off on that equipment?

19 A Yes.

20 Q Was there another situation when this occurred? I
21 think you mentioned a situation that occurred with Mr. Mike
22 Mustered, correct?

1 A Yes, sir.

2 Q Can you tell me what that situation was concerning?

3 A There again, it was a situation concerning the
4 closure of an ICR. Do you want me to repeat what I said
5 already?

6 Q The same thing with Snyder, the same situation that
7 you --

8 A Well, no, it wasn't that. I'm sure it was
9 dispositioned already. However, Mike couldn't sign the item
10 off because -- from what I gathered from being witness to what
11 him and Mike were talking, Mike was waiting for an ECN -- an
12 engineering change notice -- to come out that would clear Mike
13 to accept this item per that ECN.

14 Saklak's argument was well, we've had a meeting and
15 we're going to take care of it, so just sign it off. Well,
16 anybody who knows anything about the QC end of it knows that
17 you cannot sign anything off on a verbal agreement or verbal
18 orders from anybody. It's got to be in writing and in writing
19 on the proper documentation.

20 Q And that's part of the inspection, the quality
21 inspection that a QC inspector has to perform right?

22 A Yes.

1 Q In that particular situation, would it be fair to
2 say that that was an instance in which a QC supervisor
3 attempted to have a QC inspector violate an established
4 quality procedure?

5 A Yes, definitely.

6 Q Did you make the -- in response to counsel's
7 question, you mentioned a John Walters and a Ken Worthington.
8 And you also stated that they used overtime as bait in order
9 to get you to up your production?

10 A Yes.

11 Q Did they also threaten your job?

12 A No.

13 Q Did you tell the NRC they threatened your job?

14 A No, I don't --

15 Q Did you tell the NRC that you would lose your job if
16 you did not hurry up and produce more inspections?

17 A I know what you're referring to and that is
18 definitely a typographical error.

19 Q Did you indicate that --

20 A I'll tell you one thing, that had they ever
21 insinuated that, they would have heard about it immediately.
22 I would never have stood for anything like that. Never.

1 Q Did you bring that error to the attention to the
2 NRC?

3 A As a matter of fact, during my lunch hour, the next
4 day after I received that document, I ran over there. I said
5 number one, you got my name wrong. Number two, you've made a
6 very major -- what I felt was a very major error there.

7 And that was part of my reason for not wanting that
8 to come out with my name on it because I thought if the
9 employer sees that he's going to know that's a lie.

10 And I never did say that. I want that to stand
11 right now. Because I would --

12 Q It is now memorialized.

13 A That's definitely crossing over into the area --

14 Q What you meant to say is that they --

15 A Not what I mean[†] to say, what I did say was that they
16 used overtime as bait to get more production out of me.

17 Q Did you make the statement that Comstock wants us to
18 work with blinders on?

19 A Yes, I did.

20 Q What did you mean by that statement?

21 A I guess my feelings of the attitude of the
22 management was let's just get done what your specific task

1 is. Don't worry about anything else past or previous.

2 Like I stated before, also a lot of their attitude
3 was it's past so far. Don't worry about it now, we'll catch
4 it during walkdown.

5 Q You stated, in response to a question by Mr. Hefter,
6 that all of the prior work that you've looked at in
7 overinspections is being looked at in reinspection, is that
8 correct?

9 A Yes, they have massive reinspection programs going
10 on, not just by one group but by various other groups.

11 Q So is it your testimony that all of the inspections
12 are being reinspected?

13 MR. HEFTER: All of what inspections?

14 MR. WRIGHT: All the ones he used in his initial
15 testimony, when he stated that all the prior bad work is being
16 looked at.

17 THE WITNESS: As far as my knowledge of the overview
18 inspections, I would have to say yes.

19 BY MR. WRIGHT:

20 Q So let me understand it, you're saying that there is
21 a 100 percent reinspection of all prior work at the Braidwood
22 project?

1 A I can't make that statement. I can make a statement
2 that because of all the overview inspections, there is a very
3 good chance that a large percentage of them has been looked
4 at. I don't know exactly what percentages or amounts -- exact
5 amounts -- each overview group looks at. It varies from time
6 to time.

7 Q Do you know whether there is more than 10 percent of
8 all the work at Braidwood being reinspected?

9 A I know at times there has been. Currently, I don't
10 know what their reinspection program going on currently is.
11 PTL, at one time, was up to 25 percent overinspection and they
12 also had, I believe, BCAP and other groups involved in other
13 reinspection programs, too.

14 As best as I can be, with my knowledge of it, I
15 would definitely have to say that there is over 10 percent
16 reinspection going on, yes.

17 Q In your overview, you're involved in one of the
18 reinspection programs?

19 A I have been at different times, yes. Right now, no.

20 Q You were speaking earlier about a situation where a
21 number of welds had to be cleaned, that were actually painted?

22 A Yes.

1 Q That was while you were doing one of the
2 reinspection programs?

3 A Yes.

4 Q What was the name of that reinspection program?

5 A It was cable pan welds.

6 Q Did you go through and -- strike that.

7 You testified earlier that at one point you were
8 cleaning the paint from all the welds that you had encountered
9 and that Mr. Walters and Mr. Williams felt that you weren't
10 inspecting enough welds?

11 A Walters and Worthington.

12 Q Walters and Worthington, yes.

13 A Yes.

14 Q And at that point, you stopped inspecting those that
15 had paint on it. You just passed them by and noted them, is
16 that correct?

17 A Correct.

18 Q What happened to those that you did pass by without
19 inspecting?

20 A They would have been issued to another inspector,
21 for him to go up and inspect.

22 Q Do you know whether or not inspectors were

1 inspecting welds that were actually painted over?

2 MR. HEFTER: Objection to the form of the question.

3 Are you asking about inspections of welds while they were
4 painted over or inspections of welds that had been painted
5 over and then subsequently had paint removed?

6 MR. WRIGHT: No, those welds that had been painted,
7 without having all the paint removed.

8 THE WITNESS: Do I know of anybody else that had --

9 BY MR. WRIGHT:

10 Q Do you know whether or not they were inspecting
11 welds --

12 MR. HEFTER: Through the paint?

13 MR. WRIGHT: Right.

14 THE WITNESS: As far as any of the Comstock
15 inspectors, no. I hate to think of any inspector who would
16 inspect a weld with paint on it.

17 BY MR. WRIGHT:

18 Q Were other inspectors proceeding as slow as you
19 were?

20 A Some were close. I was probably -- I probably took
21 the prize, as far as that, at that particular time, I have to
22 admit.

1 [Laughter.]

2 I mean it's nothing to brag about and I don't, but
3 at that particular time, I was probably -- in that particular
4 group of inspectors -- I was probably one of the lowest
5 producing at that time.

6 Q And you were producing that amount because you were
7 conscientious about your job and removed the paint from the
8 welds, is that right?

9 A Yes.

10 Q Are you familiar with the Saklak and Seeders
11 incident?

12 A From hearsay, yes. From hearsay and a couple of
13 conversations with John Seeders.

14 Q What did John Seeders tell you?

15 A At this moment, I'm kind of drawing a blank on
16 that. I really can't recollect what I would feel would be an
17 accurate account of everything that happened. I really don't
18 care to say anything right now. I know there was a situation
19 and things happened because of it. But I really can't say
20 anything.

21 Q Do you know whether or not John Seeders was given a
22 choice to transfer or be fired?

1 A From my conversations with John, I believe that's
2 more or less the way it was put to him, that you really have
3 to move to the engineering area or out the gate.

4 Q Is it also your understanding that that occurred
5 because of certain safety quality concerns that John had
6 brought up to Comstock QC management?

7 A I can't accurately -- I can't answer that, right
8 now.

9 Q Excuse me, I forget. What are your certifications?

10 A Currently I am certified as a level 2 weld
11 inspector, level 2 concrete expansion anchor inspector, and
12 level 2 ~~braceway~~ inspector. ~~Braceway~~ includes the electrical
13 end of it. I'm not under Comstock management anymore. I
14 still work for Bestco, but fortunately now I'm not working
15 under Comstock. I'm working under Newberg.

16 Q Why is that fortunate?

17 A Just because I have a very low opinion of them.

18 Q Did you know Worley Puckett?

19 A On a brief basis. He was there for a short period
20 of time and during that time I never worked under him or
21 actually with him.

22 Q Were you a weld inspector at that time?

1 A Yes.

2 Q Are you aware of some of the allegations that Worley
3 Puckett made in regards to the welding procedures?

4 A What I am aware of is that he supposedly made
5 allegations as far as traceability with the welds and I
6 believe he found certain problems as far as the -- as near as
7 I can recollect, problems with traceability as far as weld
8 rods or welder certification. Something in that line.

9 Q Are you aware that Mr. Puckett suggested a welding
10 shutdown?

11 MR. HEFTER: A what, sir?

12 BY MR. WRIGHT:

13 Q A welding shutdown?

14 A I believe, to the best of my knowledge, that at one
15 time he did request a stop work order.

16 Q Are you also aware of the fact that Mr. Puckett was
17 fired from Comstock?

18 A Yes, I am aware of that.

19 Q Do you believe that's a situation where a QC
20 inspector was terminated because of his concerns with safety
21 and quality?

22 MR. HEFTER: Objection. That is asking for the

1 witness's belief. If you're asking for his knowledge, I have
2 no objection. But conclusions like that are, I think,
3 objectionable.

4 THE WITNESS: As far as that, I can only speculate.

5 BY MR. WRIGHT:

6 Q Please do.

7 A Okay.

8 MR. HEFTER: Objection, speculation.

9 MR. WRIGHT: Objection noted. You may answer.

10 THE WITNESS: Could you ask that again?

11 BY MR. WRIGHT:

12 Q My question was is that an example of a QC inspector
13 who was terminated because of his expressed concerns of safety
14 and quality?

15 A As far as my speculation -- this is speculation now,
16 and as far as I'm going on hearsay, yes, I do believe that.

17 Q Did you --

18 A I don't mean to interrupt you, but that was an
19 instance that earlier I didn't remember. There has been a lot
20 of things going on the last couple of years there, until you
21 refreshed my memory about the incident, I hadn't even thought
22 about it.

1 Q With respect to Rick Saklak, you said he wasn't your
2 immediate supervisor, isn't that correct?

3 A Rick Saklak?

4 Q Yes.

5 A At periods, he was my supervisor, yes.

6 Q Had you ever heard of a file that Rick Saklak kept
7 that had information of QC inspectors in there, called the
8 Pearl Harbor file?

9 MR. HEFTER: Objection. Beyond the scope of
10 direct.

11 THE WITNESS: No, the Pearl Harbor file? That's a
12 new one on me. I missed that rumor I guess.

13 BY MR. WRIGHT:

14 Q Do you feel there was ever any expressed or implied
15 production quota at the Braidwood site for inspections?

16 A As far as the actual quota?

17 Q Yes.

18 A I believe that in any construction oriented type
19 work they have a certain amount of work they would like to see
20 get done. None of them were actually foolish to make any set
21 numbers that they wanted us to make, no.

22 Q What about statusing.

1 MR. HEFTER: Objection, vague. What about
2 statusing?

3 BY MR. WRIGHT:

4 Q Do you what statusing --

5 A Yes, as far as our daily reports?

6 Q Yes.

7 A I have no doubt they were used mostly for checking
8 of production of inspectors.

9 Q But you don't think that the statusing was an
10 implied production quota, or do you think so?

11 A In a kind of --

12 MR. HEFTER: Objection, asking for conclusion.

13 THE WITNESS: In my own opinion, and that is because
14 of certain opinions I have arrived about the Comstock
15 management, I feel that yes, they did use that sheet as more
16 or less a production sheet and something to which they would
17 hope inspectors would realize that you're being watched.

18 BY MR. WRIGHT:

19 Q Now you were one of the inspectors that went to the
20 NRC on March 29th. Do you feel there's been any harassment or
21 intimidation that has been geared toward you because of the
22 fact that you went to the NRC?

1 A Fortunately, I have not experienced any as of yet.

2 Q Do you think any of your co-inspectors, that went to
3 the NRC, have experienced any harassment or intimidation
4 because of that?

5 A None that I know of.

6 Q Have you spoke -- has there been any follow up by
7 the NRC with respect to your allegations that you brought
8 forward on that afternoon?

9 A Yes, they did mail me several correspondences, as
10 far as -- well, one of them was the one where we talked about
11 earlier where there was the typographical error. And I think
12 there might have been another one. I'm not exactly sure what
13 that contained.

14 Q Did you speak to anyone with the NRC?

15 A Since that date?

16 Q Did you speak to any inspectors since that date, in
17 regard to any of the allegations?

18 A Well, yes. There was always talk going on as far as
19 that day, things that have happened that day.

20 Q Did an NRC inspector contact you to get further
21 information or to tell you how they were resolving some of the
22 allegations that were raised?

1 A Yes, okay. No, as a matter of fact, I got a
2 response from them. It was -- I'm not sure how many pages, it
3 was fairly thick. And what it was was all the allegations
4 that were made. They would list the allegation and then what
5 was done, as far as to check the allegation out, and what
6 their conclusion was.

7 And it was a listing of what was -- of obviously
8 what was said on March 29th.

9 Q Were you satisfied with the NRC's conclusions?

10 A As far as seeing things as -- yes, as far as what
11 they could be in black and white, yes.

12 Q Are you satisfied that the problems that you first
13 complained of have been resolved in the L.K. Comstock
14 organization?

15 A Well, I don't want to get -- as far as Comstock and
16 any of the problems we've ever had with them, I don't know if
17 -- I'm not talking really quality issue here, I'm just talking
18 management issue here. I don't think they'll ever get their
19 problem resolved.

20 Q I think it's stated in the report that all of the
21 allegers claimed to have spoken to the Braidwood Quality First
22 team first, without gaining any satisfactory response to their

1 complaints.

2 A To what report now?

3 Q It's contained in the NRC memorandum that all the
4 allegeders claimed to have spoken -- and that date is April 5th,
5 it's a memorandum to Charles Durelli from Charles Wild,
6 regarding the allegations of the Comstock quality assurance
7 program at Braidwood.

8 And in there it's listed that all of the allegeders
9 claimed to have spoken to the Braidwood Quality First team
10 without gaining any satisfactory response to their concerns.
11 Do you agree with that statement?

12 Well, better put, did you go to Quality First,
13 first?

14 A Before that day that we went to the NRC about that
15 particular manner, with Saklak and the overtime thing?

16 Q Specifically --

17 A No, I hadn't gone to Quality First concerning that.

18 Q So you've never gone to Quality First?

19 A I have gone to them. They made appointments for
20 us. When Quality First came into effect, they had a meeting
21 giving us an introduction to Quality First and their goals and
22 ideals. Shortly after that, each inspector was to go over

1 there and talk to the gentlemen and express any concerns that
2 they might have at that time.

3 Q Did you do so?

4 A At that -- as far as I can remember, at that time --
5 boy, as best I can remember, I don't think the deal with
6 overtime or with Saklak had even occurred yet.

7 Q So you didn't tell -- or did you tell them anything?

8 A As near as I can remember, I don't believe I did at
9 this time. I don't remember. It was a very short meeting, as
10 far as I can remember.

11 Q What's your opinion about the Braidwood Quality
12 First program?

13 MR. HEFTER: Objection.

14 THE WITNESS: I don't really know.

15 BY MR. WRIGHT:

16 Q Do you think it's a whitewash?

17 MR. HEFTER: Objection. Vague and calling for a
18 conclusion.

19 THE WITNESS: I can't really answer that
20 accurately. I think it's a good idea. As far as its
21 effectiveness, I can't answer that. I have no idea.

22 BY MR. WRIGHT:

1 Q Do you know anyone who has ever taken a problem to
2 Quality First?

3 A I've heard of inspectors that have gone over there,
4 yes.

5 Q Do you know whether or not their problems have been
6 resolved through Quality First?

7 A I have no idea. I don't know.

8 Q Have you ever come across an inspection report or
9 welding inspection report where there's been over 1,000 plus
10 welds inspected in one day?

11 MR. HEFTER: Objection, beyond the scope of direct?

12 THE WITNESS: I have seen it, yes. It's becoming a
13 pretty famous piece of property, I guess, from what I hear.
14 It was quite a joke around inspectors.

15 BY MR. WRIGHT:

16 Was that the DeWald --

17 A Yes.

18 Q Are there any others?

19 A I'm pretty sure, yes. I have worked in the vault
20 before and I have actually physically seen reports with 1,000
21 welds written on them. There, we're king of getting back into
22 what I have talked about before, with the old system of the

1 paperwork not set up for total traceability and accuracy.

2 It was more or less a blank sheet and they would
3 list -- they would just jot down hanger numbers and the
4 drawing and the amount of welds. And you had no way of
5 knowing if he did them all in one day, actually, or if it was
6 done on numerous days.

7 My first thought was well, it wouldn't be beyond
8 them, but as far as actually doing that, I would hate to think
9 that anybody would do that. I know most normal people, even
10 if they had done the amount of work, would be smarter than to
11 document it as such. But then, we're not talking about --
12 never mind. Strike that.

13 Q Now, in a typical day, how many welds would you
14 inspect and document on one sheet?

15 A I have done in process conduit inspections, where I
16 would eight to maybe a dozen hangers in a day. They are small
17 hangers. Some of them have four welds, some of them may have
18 twenty welds.

19 It depends on the type of hanger. I have done cable
20 pan hanger inspections where you are lucky to get one hanger
21 done because of the configuration of the piece and the amount
22 of welds.

1 So, it varies so much. I have done cable pan welds
2 where it is just attachment welds of cable pan to the hanger,
3 and I have gotten anywhere from five inspections to fifteen
4 inspections of those done a day, and it just depends on where
5 they are in the plant.

6 You might be on one floor for one inspection, on
7 another floor for another inspection. There is just no way I
8 can ever give a number as far as even an average because
9 things vary so much.

10 Q Okay. Well, let's say that this was one level, one
11 section, and we are looking at hanger inspections. What do
12 you think the maximum amount that you would be able to get
13 done?

14 A Conduit hanger?

15 Q Yes.

16 A As far as doing the weld -- Comstock had to -- the
17 welding and the configuration of the hanger. Check to make
18 sure the welds were in per detail, and you would check to make
19 sure the hanger was installed and that the component sizes
20 were made accurately per detail.

21 To do both those, I would say on an average, all I
22 can say is for me, a dozen would be a good day, a real good

1 day. I would say -- on an average probably eight conduit
2 hangers including the configuration inspection of them,
3 because of all the other paperwork and other work involved
4 with it.

5 Q And you said that you saw the sheet that had the one
6 thousand plus welds on it?

7 A Yes.

8 Q Could you tell what kind of inspections those were?

9 A Operating off memory here, I believe those were, to
10 the best of my recollection, cable pan hanger welds.

11 Q Cable pan hanger welds. And how would your answer
12 be different with respect to cable pan hanger welds?

13 A Cable pan hangers were a little more involved and
14 complex. They are -- mostly because of size. They are,
15 obviously, bigger than conduit hangers are. They are a
16 little more involved as far as the research that has to go
17 into them, and checking out the configuration in the welding
18 tool.

19 Q So, what would be an average of the maximum that you
20 would be able to do on a typical day?

21 A On a regular cable -- there, again, we have
22 different sized cable pan hangers. We have some that I could

1 do one in an hour. We have some that would take me a day, if
2 not longer, to inspect.

3 Q Now, those who would take you an hour to do, how
4 many welds would be on that hanger?

5 A There are some that only have four welds on them.

6 Q So, if you were to inspect ninety-three hangers that
7 contained over eleven to twelve hundred welds --

8 A All together, you mean?

9 Q All together. Could you have done that within a
10 day?

11 A Not me.

12 Q Could you have done it within a week?

13 A You are talking about ninety-three separate hangers.

14 Q Ninety-three separate hangers?

15 A With one to twelve welds on each one. About a dozen
16 welds on each hanger?

17 Q There are twelve hundred welds overall.

18 A How many hangers?

19 Q Ninety-three.

20 A So, you are talking almost -- over a hundred welds
21 for each hanger, right?

22 Q No. Actually we are talking about fifteen welds per

1 hanger.

2 A Oh, okay. If they are all in one room and they have
3 easy access -- just offhand I am giving you this answer, I
4 would say about a week.

5 That is a lot of hangers. After sitting down and
6 figuring out a little bit more, I might even say longer than
7 that. But I would say at least a week.

8 Q Were you ever told as a QC inspector not to take any
9 quality concerns to the NRC?

10 A Never.

11 Q Were you told -- were you allowed to walk through
12 the CECO building?

13 A Through the CECO building?

14 Q Yes. Allowed to go to the CECO building?

15 A We were allowed to go to Quality First, but we were
16 not allowed to go to the CECO building.

17 Q Do you know why?

18 A Just more or less told that it was off limits.

19 Q Were you allowed to take your problems to Sargent
20 & Lundy? Problems that you would encounter, questions that
21 you would have?

22 A Oh, yes, yes.

1 Q Was there ever a time that Irv DeWald said he didn't
2 want any QC inspectors going to Sargent & Lundy. Problems
3 that you would encounter, questions that you would have?

4 A Oh, yes, yes.

5 Q Was there ever a time that Irv DeWald said he didn't
6 want any QC inspectors going to Sargent & Lundy?

7 A To the best of my recollection, I can't remember
8 right now him ever saying that.

9 Q Okay. One other question in regards to Walters and
10 Worthington. During the period of time when they were
11 commenting on your slow production, did they at any time tell
12 you that you should inspect those welds that were covered with
13 paint?

14 A No.

15 Q Did they imply that?

16 A No, I don't believe they did.

17 Q What were they trying to tell you, then?

18 MR. HEFTER: Objection. Asking for him to speculate
19 on what two other people were thinking about.

20 WITNESS: I would hate to even think that they would
21 want to imply to inspect through paint. The answer is no, I
22 can't really say that that was their intent. I think their

1 basic intent was to just simply get me to increase my
2 production.

3 No, I can't say that, that they would -- they never
4 did really actually imply or come out and say, 'well, don't
5 worry about the paint,' or anything like that, and I would
6 hate to think that they would actually even think that.

7 BY MR. WRIGHT: (Continuing)

8 Q All right.

9 A Not that they wouldn't if it wasn't for the NRC
10 being around, but --

11 MR. WRIGHT: All right. I don't think I have any
12 further questions.

13 MR. HEFTER: I have a couple of more before we let
14 you go.

15 WITNESS: Okay.

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EXAMINATION

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BY MR. HEFTER:

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Q You testified in response to a question by Mr. Wright something to the effect that Worley Puckett had been fired for his expression of quality concerns, does that summarize your testimony accurately?

7

A Yes, based on hearsay now.

8

9

Q That was my question. That is all based on rumors you heard around the plant, is that right?

10

A Correct.

11

12

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MR. WRIGHT: Asked and answered. I simply say, 'asked and answered,' because that is what you prefaced your answer with.

14

BY MR. HEFTER:

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16

Q You have never spoken to Mr. Puckett about the reasons for his firing?

17

18

A No, like I say, I didn't know him that well, and I have never seen him since his firing.

19

20

Q You never spoke to anyone from Comstock management about it, is that right.

21

22

A No, I try to say as little as possible to them, believe me.

1 Q And you weren't privy to any discussions among
2 Comstock management regarding whether Mr. Puckett ought to be
3 fired, is that right.

4 A Correct.

5 Q And then also you talked in response to a question
6 by Mr. Wright about the CECO building being off limits except
7 for Quality First.

8 Who told you the CECO building was off limits?

9 A To the best of my recollection, I think we were told
10 that in a meeting, and I would have to answer Irv DeWald.
11 Now, I am not sure of that. I am just saying that he usually
12 held the meetings, and he would normally be the person to say
13 that, but I know for a fact -- I do remember for a fact that
14 we were told that.

15 The Quality First trailer is at another end of the
16 plant, so it is not close to the normal CECO offices.

17 Q So you were told that after Quality First came out
18 to the site, is that right?

19 MR. WRIGHT: Objection. That is not what was stated
20 in his prior testimony.

21 WITNESS: I think it was before Quality First came
22 on site. I think before -- I am not really sure. I just know

1 at one time they said stay out of the service building. That
2 was their words if I remember right.

3 Their words were, 'stay out of the service
4 building.' Well, the service building, that is the CECO
5 building.

6 BY MR. HEFTER: (Continuing)

7 Q Okay. I might have misunderstood your earlier
8 testimony. I thought you had said that you were told that
9 CECO was off limits except for quality first.

10 A Okay. When I said that, I wasn't saying it in the
11 text that that is how they said it. I was merely separating
12 the two, okay?

13 They didn't state that. I am just saying they were
14 talking about the service building, the CECO building, on the
15 south end of the building. And I just wanted to make sure for
16 the record that nobody has ever told us not to go to Quality
17 First.

18 Q Okay. Do you recall anything else that was said
19 about going to the CECO building in that meeting, or was it
20 just a single sentence, don't go to the CECO building.

21 A As best as I can remember, it was just a statement
22 that nobody is to go into the service building. You have no

1 business being there. Our inspections are in the plant, and
2 such like that.

3 Q Was it said in the context of a discussion of
4 reporting quality concerns?

5 MR. WRIGHT: Objection. Seeks speculation.

6 BY MR. HEFTER: (Continuing)

7 Q Let me clarify. I am not asking you to speculate on
8 anything. I am asking you what the context of that statement
9 was when Irv DeWald or whoever it was that was conducting the
10 meeting said, 'don't go to the CECO building.' What was said
11 immediately and after that sentence? What was the discussion
12 about?

13 A It could have been anything. I think you are ^{two} two
14 are trying to insinuate as far as telling us to keep from the
15 NRC office which is in the CECO building, is that what you are
16 getting at?

17 Q No, I am not. What I am trying to get at -- I am
18 not trying to trick you at all. All I want to know is whether
19 the discussion that you just mentioned where Irv DeWald or
20 whoever is running the meeting said, 'don't go to the CECO
21 building.' Whether that was said in the context of a
22 discussion of reporting quality concerns, or whether --

1 A No, it wasn't. It was just a general meeting. It
2 was just said matter of factly, 'stay out of the area.'

3 Q Was the discussion about remaining in the work areas
4 that you were assigned to rather than being around areas of
5 the plant that you had no business?

6 A As far as I can remember, they just wanted us to
7 stay out of the service building, in that there are certain
8 areas that we belong in as far as doing our inspections, and
9 that we should confine ourselves to those areas.

10 Q Do you remember anything else about the discussion
11 at all, or is that the extent of your recollection?

12 A Off hand no, I can't remember anything else, other
13 than the fact that -- it might not even have been in that
14 meeting.

15 I know he did state at one particular meeting that
16 he would be patrolling the area.

17 Q Did he say that anybody had been wasting time at the
18 CECO building when he should have been working?

19 A No, I don't believe he said anything like that

20 MR. HEFTER: That is all I have. Anything further?

21 MR. WRIGHT: Yeah, just one question.

22

EXAMINATION

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BY MR. WRIGHT:

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Q Have you ever been told not to issue as many NCRs or ICRs as you may have been issuing, by Comstock?

5

A No. I have been told that I over-inspect.

6

MR. WRIGHT: No further questions.

7

MR. HEFTER: The last thing is that you have a right if you would like, once this transcript is written up, to take a look at it, correct any errors that may be in it and sign it, or you can waive that right, at which case it will stand as your testimony without your looking at it.

12

What would you like to do?

13

WITNESS: How long will it take.

14

MR. HEFTER: Let's go off the record a second.

15

(Off the record.)

16

MR. HEFTER: We have had a little discussion while we were off the record, and will you tell us what you have decided about signing the transcript

19

WITNESS: I can wait for whatever comes through the mail.

20

21

MR. HEFTER: So, your answer is that you do want to read the transcript and have an opportunity it?

22

1 WITNESS: Yes, I do, at a later date, yes.

2 MR. HEFTER: Very good, we will arrange for that.

3 Thank you.

4 WITNESS: You bet.

5 (Whereupon, the taking of the deposition concluded
6 at 4:22 p.m., Tuesday, March 4, 1986.)

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CERTIFICATE OF DEPONENT

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I, DEAN L. PETERSON, do hereby certify that I have read the foregoing transcript of my deposition testimony and, with the exception of additions and corrections, if any, hereto, find it to be a true and accurate transcription thereof.

Dean L. Peterson

DEAN L. PETERSON

4-1-86

DATE

CERTIFICATE OF NOTARY PUBLIC

Sworn and subscribed to before me, this the 1st day of April, 1986.

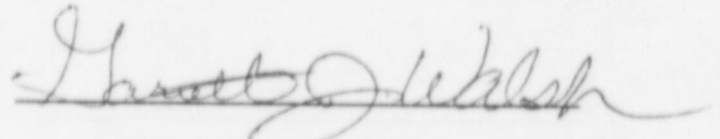
Inez Whaley

NOTARY PUBLIC IN AND FOR State of Illinois

My commission expires: November 21, 1987

CERTIFICATE OF NOTARY PUBLIC

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3 I, GARRETT J. WALSH, the officer before whom the
4 foregoing deposition was taken do hereby certify that the
5 witness whose testimony appears in the foregoing deposition
6 was duly sworn by me; that the testimony of said witness was
7 taken by me and thereafter reduced to typewriting by me or
8 under my direction; that said deposition is a true record of
9 the testimony given by the witness; that I am neither counsel
10 for, related to, nor employed by any of the parties to the
11 action in which this deposition was taken; and further, that I
12 am not a relative or employee of any attorney or counsel
13 employed by the parties hereto, nor financially or otherwise
14 interested in the outcome of the action.

15
16 

GARRETT J. WALSH

17
18 Notary Public in and for the
19 Commonwealth of Virginia
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21 My Commission expires January 9, 1989.
22