BEFORE THE 1 2 UNITED STATES NUCLEAR REGULATORY COMMISSION 3 REGION V 4 5 In the Matter of: 6 DOCKET NO .: None INVESTIGATIVE INTERVIEW 7 8 (CLOSED MEETING) Management Analysis Company 9 Office of Ronald J. Rodriguez 12671 High Bluff Drive 10 San Diego, California 92130 11 Tuesday, April 7, 1987. 12 An investigative interview was conducted with 13 Ronald J. Rodriguez at 6:10 p.m. 14 15 16 PRESENT: ROBERT G. MARSH, Director 17 Office of Investigations Nuclear Regulatory Commission 18 Region V 19 RONALD A. MEEKS, Senior Investigator Office of Investigations 20 Nuclear Regulatory Commission Region V 21 22 23 24 25 8905260405 890516 PDR FDIA FR1EDMA89-A-7 PDR EXHIBIT \_\_\_\_\_ 5=86-010 hillen . 178 Parpe

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PROCEEDINGS 1 6:10 p.m. 2 MR. MEEKS: For the record, this is an interview 3 of Ronald J. Rodriguez, spelled R-O-D-R-I-G-U-E-Z, who is 4 employed by the Management Analysis Company. 5 THE WITNESS: That's correct. 6 MR. MEEKS: The location of this interview is 7 Del Mar, California. 8 Present at this interview are myself, Ronald A. 9 Meeks, an Investigator with the NRC Office of Investigations, 10 and Robert Marsh, the Field Office Director of the Region V 11 Office of Investigations. 12 As agreed, this interview is being reported by 13 Marty Turk. The subject matter of this interview concerns 14 the management of the liquid effluence program at the Rancho 15 Seco Nuclear Generating Station. 16 Mr. Rodriguez, if you will stand and raise your 17 right hand, \_ will swear you in. 18 Whereupon, 19 RONALD J. RODRIGUEZ 20 was called as a witness and, after being first duly sworn, 21 was examined and testified as follows: 22 DIRECT EXAMINATION 23 BY MR. MEEKS: 24 Could you just briefly describe your current 0 25

1	position with the Management Analysis Company?
	The currently a consultant in the field
2	A I m currently a consultant in the rield
3	services division of the company in the executive consulting
4	group.
5	Q Specifically, what is your area of expertise
6	with Management Analysis Company, or area c concentration?
7	A Well, it's primarily in the area of management
8	assistance to the nuclear industry, primarily operating
9	utilities and bringing to them my experience and assisting
10	them in overcoming problems that they may have in their
11	operating plants.
12	Q How long have you been employed with the
13	Management Analysis Company?
14	A Since September of '86.
15	Q All right. Could you discuss your employment
16	with Sacramento Municipal Utility District, when you started,
17	the functions you the positions and responsibilities you
18	had, as it related to the Rancho Seco Nuclear Generating
19	Station?
20	A I came to work for SMUD in November of 1968 as
21	the assistant superintendent for operations. And I was in
22	that position until about February of 1970 and I became then
23	the plant superintendent.
24	Q All right, of Rancho Seco?
25	A Of Rancho Seco. And I held that position

1	well, a year later the title was changed to manager, nuclear
2	operations, which essentially was the plant manager. And I
3	remained in that position until February of 1983 and I was
4	promoted to the assistant general manager of nuclear with
5	responsibility for the nuclear organization at SMUD.
6	And I remained in that position until April of
7	or the first part of May of 1986, when I then became chief
8	of staff to the general manager.
9	Q And as the what did you say, the assistant
10	general manager nuclear?
11	A That's correct.
12	Q What were your management functions in that
13	position?
14	A Well, I was essentially the senior corporate
15	officer for the nuclear area. The nuclear plant manager
16	reported directly to me. The quality assurance manager
17	reported to me. The manager of engineering
18	BY MR. MARSH: Q While you are describing these people that
19	report to you, would you apply a name to those positions,
20	please?
21	A You mean the individual that had the position?
22	Q Right.
23	A The for most of that time as assistant plant
24	manager, the plant manager who reported to me was Pierre Oubre
25	until August of 1985, and then the plant manager was George

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1	Coward.
2	The manager of engineering was initial Del Raasch
3	until about May or June of '83, and then the manager of
4	engineering was Lee Kielmann. And he had that position until
5	about February of 1986. And then there was an acting
6	engineering department manager and I don't recall his name.
7	Q Well, we can fill in the blanks where we can't
8	recall.
9	A And he was he served as the acting engineer-
10	ing department manager until May of '86. And then there was
11	a loaned executive, Don Gillespie, from INPO who became the
12	acting engineering department manager.
13	The manager of quality assurance was Andy
14	Schweiger. The manager of licensing was originally reporting
15	to the manager of engineering until about February or March
16	of '85 and then the licensing function became a separate
17	department and reported directly to me. And the manager of
18	that was Bob Dieterick.
19	The training department came out from under the
20	plant manager sometime the middle part of '85, July, August,
21	somewhere in there. And I hired a permanent training
22	department manager, Paul Turner, who reported in December of
23	'86.
24	BY MR. MEEKS:
25	Q All right, December of '86?

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1	A Excuse me, December of '55.
2	Q You wrote a letter to J. B. Martin, the regional
3	administrator of the NRC, Region V office. It was dated
4	September 27, 1984, and it was entitled "Special Report No.
5	84-07."
6	Prior to starting the interview, you refreshed
7	reviewed that report and went over it. On the first page,
8	you indicate that based on the information in special report '
9	84-07 that the near and long-term corrective actions are
10	detailed in the attachments. And based on those facts
11	concerning the near- and long-term corrective actions, the
12	district believes that a request for variance is not required
13	as of the date of that letter, September 27, 1984.
14	Could you give us the SMUD perspective on the
15	background of that variance, what it consisted of and what
16	its regulatory requirement was and why was it necessary to
17	consider that?
18	A As best I can recall, there was some discussion
19	at a meeting about this situation and the fact that there was
20	the potential for having exceeded the 40 CFR 190 criteria,
21	I guess, 25 millirem per person.
22	Q Yes.
23	A And I think the NRC folks that were there an
24	I pick on Greg Yuhas because I think Greg was one of the
25	people that were there when we discussed this about our

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1	request for a variance and that that variance would detail
2	out all of the corrective action that we were going to take
3	to prevent this from reoccurring.
4	And as I recall, his suggestion was that we've
5	already taken that action. So you don't really need the
6	variance. And that was the gist from that guidance, that
7	sorry, that's the best I recall is that we generated the
8	letter.
9	Q All right. And what was this letter's intended
10	purpose with respect to the variance, the special report
11	84-07?
12	A I think it was you know, we had the situation
13	where we had this potential of being a high level. And that
14	was to clarify the question of, was a variance required or
15	not.
16	Q I see. When you say a high level, do you mean
17	high level
18	A The calculated level
19	Q or radioactive
20	A The calculated level suggested that an
21	individual if you take all the conservative assumptions
22	could have achieved more than 25 millirem. Now, we went out
23	in the field, you know, and did actual measurements and that
24	whole body counting to show that wasn't in fact wasn't the
25	case. But the calculations that we did gave some bigger

1	numbers.
2	And the fact that we had those, we had to
3	resolve what do you do about that situation. And this was
4	this letter you asked for I guess I think, as I recall
5	the guidance that we had in talking to the region about it
6	was that the regulations called for a variance if you exceeded
7	that 24 millirem.
8	And that variance had to identify what you were
9	going to do so that in the future it wouldn't reoccur. But
10	at this point we'd already done a lot of things, essentially
11	what we would have put in the variance.
12	So instead of requesting the variance, we
13	generated this letter stating I guess it said that we
14	aren't requesting a variance, but these are the actions that
15	we've taken.
16	Q And as a result of those actions?
17	A As a result of those actions, we felt confident
18	that we were not going to exceed the technical specification
19	limit in the future, nor more importantly in this case the
20	40 CFR 190 requirement.
21	Q The technical specifications implemented
22	it is my understanding the 10 CFR 50, Appendix I, ALARA
23	provisions for radioactivity in liquid effluent releases. Is
24	that also your understanding, just to make sure we are on
25	the same frequency?

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1	A leah, I think it was in like I think the
2	letter talks about we had implemented the RETS in like June
3	or July of '84, I guess, as I recall.
4	Q When you refer to RETS, what are you referring
5	to, just for the record?
6	A Well, that's the new that was the change to
7	the technical specifications that brought Rancho Seco under
8	compliance with Appendix I. Up until that point, we were not
9	required to comply.
10	Q And for the record, the acronym RETS meaning
11	the Radiological Environmental Technical Specifications?
12	A Yes.
13	Q All right. So your special report 84-07 that
14	you issued to NRC in September 1984, once again you are
15	stating you are not needing a variance?
16	A Well, isn't that what the letter says? You know
17	I'm trying to remember back three two and a half years
18	ago, but I
19	Q You have given it to us. And I am just
,20	A But the letter stated that we did not need a
21	variance because we had taken these actions, okay? And the
22	reason for putting the letter in that context was, like I said,
23	as best I recall, we'd had a meeting with some members of
24	the NRC, and I remember Yuhas in particular talking about the
25	best approach to this.

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1	And the guidance that we'd had was, well, you've
2	already taken these actions so just tell us what you're doing
3	and you don't need a variance.
4	Q All right. What was your involvement with the
5	input of information in the special report 84-07?
6	A Well, for the most part the technical aspects
7	of this I left to the, you know, plant health-physics people
8	and the corporate health-physics folks. Certainly, I was
9	involved in the discussions we had with the NRC about the fact
10	that we'd had discharges that in retrospect from a calcu-
11	lational standpoint indicated we were exceeding the limits.
12	And that was, I think, pretty much the extent
13	of my involvement, reviewing what they were what the plant
14	folks had proposed to do to prevent that from occurring, and
15	recognizing what they were proposing to do should prevent the
16	discharge of an excess amount of radioactivity that would
17	take us outside of tech-spec limits.
18	Q All right, what manager did you assign to
19	oversee that report and put it in the format that it
20	A Yeah, I don't
21	Q Put it in its final format which was
22	A I don't recall making a specific assignment.
23	Typically, this kind of report would have been generated in
24	collaboration with both the licensing folks or the corporate
25	health-physics people and the plant people.

You know, somewhere there's a -- there should 1 be an inside copy of this on who signed off on it. And that'd 2 tell me specifically -- you know, the initials on there --3 who the individual that generated it was. 4 All right ---0 5 Most probably it got generated either by Fred A 6 Kellie or by my supervising health physicist in the downtown 7 office. 8 Ed Bradley? Q 9 Ed Bradley. A 10 What oversight meetings were you involved in 0 11 where the topics or the subject matter of special report 84-07 12 were discussed? 13 I don't recall any specific meetings. I recall A 14 the meeting or phone conversation that we had with some 15 people at the region about this. And it seems to me it was a 16 meeting at the region where it came up. 17 But as far as internally, I don't remember, 18 you know, any specific meetings that I can -- you know, come 19 right back to that that was the specific topic we were 20 talking about. 21 All right ---0 22 That didn't mean it didn't occur. I just don't A 23 remember it. 24 Approximately what time span are we talking 0 25

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1	about with that interface that you had with NRC where you
2	talked about the issuance of this report?
3	A Obviously, it was some time before this report
4	was written. But whether it was, you know, a month or two
5	months, I don't know.
6	Q You stated that the RETS was effective in July
7	of '84. Was it in conjunction with that?
8	A Well, that's what the letter said. I don't
9	you know, that's why I having read this, and this indicated
10	in there that our RETS went into effect in July '84, that's
11	why I picked that out.
12	I think if you had asked me cold, I wouldn't
13	have remembered that it was in July. I probably would have
14	remembered that it was in '84 sometime.
15	Q All right. In the first part of 1985, January
16	of 1985, Ed Bradley returned from a health-physics symposium.
17	In that health-physics symposium he had discussed with
18	various peer individuals, individuals with whom he what
19	is the word I am looking for? other individuals that he
20	interfaced with at that symposium, the fact that because of
21	Rancho Seco's plant configuration and the fact that it was a
22	dry site and didn't empty its effluence into a river or an
23	ocean or lake that the technical specification for lower
24	limits of detection for Rancho Seco might not be sufficient
25	to assure compliance with Appendix I.

This was in, like I say, the first -- the 1 symposium was in January. What were your discussions with Ed 2 Bradley about this fact, that Rancho Seco's technical specifi-3 cation for lower limits of detection hight not be sufficient 4 to insure compliance with Appendix I? 5 A I didn't attend that symposium. I don't -- you 6 know, I don't remember anything specific about what he said 7 there. 8 How about upon his return, what were your 0 9 conversations with him about that topic? 10 I dop't remember specifically about that. I A 11 remember him asking about doing some sampling. That he had 12 come to me, he said he had asked the plant, I guess, to 13 request or send some composite samples to CEP to determine 14 whether or not they detected radioactivity that was -- that 15 the plant hadn't detected. 16 And I remember telling George Coward, you know, 17 comply with that and get Kellie to do whatever he had to do 18 to get that information for Ed Bradley. But I don't -- I 19 just don't remember -- I can't respond directly to your 20 question because I just don't remember that. 21 Is there anything more you know about it? Did 22 Bradley talk to you about, you know, the situation? Or was 23 it in a meeting or ---24 Well, do you recall any conversations? What do 0 25

1	you recall about conversations with Lee Kielmann and/or Roger
2	Powers concerning this very same thing? The fact that Ed
3	Bradley's awareness that Rancho Seco's technical specifica-
4	tion for LLD, lower limited of detection, might not be
5	sufficient to assure compliance with Appendix I, and the
6	fact that Bradley was going to do a study on that very same
7	thing?
8	A Well, I know the issue let me think, it seems
9	to be I recall Bradley in a meeting that we'd had wherein he
10	made the comment that if I guess that if every sample that
11	we took was just below the level of detection, and you
12	accumulate and it was all like that, everything we
13	discharged that then you might exceed the tech-spec limits.
14	And that gets back to why I think he went back
15	and asked as I recall, he asked for those samples to be
16	recounted or done something with CEP to see if their levels
17	were if in fact those levels were just below what our
18	level of detection was.
19	You know, I kind of I remember that topic
20	coming up. It seemed to me that that 2000 second count, or
21	whatever it was, was the fix to that, to get the LLD down
22	low enough so that we'd know you know, we'd know that we
23	were at a level that we weren't discharging anything that
24	would take us out of the tech-specs.
25	Q This meeting where Ed Bradley discussed this
	The second and s

fact, can you put a time period on that?
A No, uh-uh, I can't.
Q Who was present at that meeting?
A I'd have to guess because, you know, normally
at those meetings, if I was involved in them, you know, some
of the department managers, the quality manager, the plant
manager, the engineering manager, the licensing manager, you
know, it could even have been at an MSRC meeting that that
came up.
Q Well, when this
A You know, I don't remember specifically.
Q How did you correlate your commitments in
special report 84-07 not to exceed Appendix I limits with
what Ed Bradley was telling you of the fact that there is a
possibility we will exceed Appendix I limits
A Well, I don't
Q if we are right at or right under the
tech-spec lower limits of detection?
A Well, you know, the main thing is that we didn't
want to exceed those tech-spec limits and we'd take the
actions to insure that we weren't. And in trying to tie the
things together, it seems to me that was when he needed those
additional samples checked to see if in fact they were just
below our level of detection.
And that data, which I don't remember you

1	know, whatever came of that data but that was the data that
2	would be utilized to tell us if in fact what were doing
3	what levels of detection we had were inadequate.
4	And I you know, in trying to think back about
5	that, the impression I had from Bradley was, you know, that
6	he raised the issue but he didn't have a lot of concern about
7	it because he felt that you know, that we were well below
8	that, but there was that possibility and the only way to
9	verify it is to get these samples counted I guess for a longer
10	counting time or a lab that had more sensitive equipment.
11	Q All right. The time frame you are talking about
12	there and I don't think I am mistaken on this is around
13	December of 1985. I am concerned with when this issue was
14	first surfaced in January, February, March of 1985.
15	With that information, the fact that those are
16	composite samples, you are talking about the December 1985
17	time frame there. I want to back up to when this issue was
18	first raised by Ed Bradley. That is what I want to talk
19	about.
20	A Well, I don't know what the time difference
21	was, you know, in the meeting that we had with Bradley. You
22	are saying that meeting with Bradley occurred in January?
23	Q I don't know the meeting that you are talking
24	about. I don't know what meeting it is or when that happened.
25	But the fact that your involvement, from what I understand

from the documents I have been able to read and I don't think
I have them right here, about doing the composite analysis
by CEP was in December of 1985.
A Well, I know he I think the December 1985
time frame was the time frame that he came to me stating that
he couldn't get these samples counted. That's when I told
you, you know, that he said he couldn't get them so I got a
hold of Coward and told him, do that.
Now and I presume that there was some time
that had gone by, you know, when he was trying to get and
how he did it, I don't know. I don't know if he sent a memo
or verbally asked Kellie to send those back. And there could
have been, you know, two or three weeks, I don't know. I
don't remember him telling me how long it had been.
Q Why did he say he was having a difficult time
getting those samples counted?
A I remember him saying he'd asked Fred Kellie to
get them counted and he wasn't getting he wasn't being
responded to. So I got on the phone and called George Coward
and told him that Bradley was in my office, he'd asked Fred
Kellie to get some samples counted and for whatever reason,
health-physics, chemistry department wasn't responding to him
And that was about you know, that's what I
recall of it. We didn't go into any specifics about how he'd
asked Fred Kellie or whether Fred Kellie didn't like him or

just what it was. 1 O What Kellie's justification was for not 2 following up on that request? 3 Yeah. A 4 Who else was present in that meeting when you 0 5 called Coward, other than you and Ed Bradley? 6 I would expect nobody. And maybe Bradley was A 7 already gone by that time I called Coward. 33 MR. MARSH: Are we talking about December 1985? 9 MR. MEEKS: Yes. 10 MR. MARSH: We leaped from early '85 to December 11 of '85 on this issue. And I want to make sure we get back 12 and discuss the meetings and the activities related to early 13 1985 time frame when Bradley brought this matter first to 14 your attention. 15 THE WITNESS: Well, I don't -- see, he said he 16 did this at a seminar somewhere. And I didn't attend the 17 seminar. 18 MR. MARSH: No, he didn't say that he brought 19 it to your attention at a seminar. He said that Bradley 20 attended a seminar and then based on what he leared at that 21 seminar, he then concluded that possibly the calculations at 22 Rancho Seco were in error. 23 And he brought those to your attention. And we 24 believe that that was brought to your attention at a 25

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1	management safety review committee meeting at which there was
2	a lot of people present and there was a lot of discussion
3	about it. And I have a hard time understanding how you would
4	not be at all familiar with it.
5	THE WITNESS: Well, you know, as we talked about
6	it and I said I remembered, after a while, of him discussing
7	it at a meeting. I don't remember specifically that it was a
8	management safety review committee meeting. Maybe somebody
9	else does.
10	Just like when he asked mc who was there, I
11	said, "I don't remember specifically but normally when I'm in
12	some kind of a meeting like that, the department managers
13	were there." And it could even have been an MSRC meeting.
14	But I don't remember that, you know, specifically, because
15	there were other meetings we had about cechnical issues that
16	weren't MSRC.
17	BY MR. MARSH:
18	Q All right, but we are concerned with the sub-
19	stance of what Bradley was saying and possibly Power.
20	Possibly Bradley and Powers both made a presentation about
21	this subject?
22	A I remember the subject. I don't remember the
23	time frame. What I recall is what I said, that it seemed to
24	me that the gist of that, to determine whether or not we were
25	in any trouble, was to go back and get these samples that we

had made recounted by CEP to see if in fact their levels were 1 just below what our level of detection was. And that's what 2 I remember ---3 Did you give any specific instructions for 4 someone to be in charge or to be the daddy to that project to 5 make sure? Because you are looking at two different branches 6 of your organization there and somebody has got to be 7 responsible for carrying out your wishes. 8 I don't remember, you know, specifically A 9 pointing out to somebody what typically -- I think it would 10 have been Bradley's responsibility to identify whether or not 11 we had a problem. And I assume it was since he was the guy 12 that came back to me later and said he couldn't get the site 13 to send me samples back or communicate with CEP or whatever 14 it was to get them counted. 15 So from that, I -- you know, surmise that he 16 was the guy that was going to determine whether or not there 17 was a problem. But I don't remember specifically pointing to 18 him. 19 All right, let's see if we can zero in on a 0 20 time frame here based on other events that might have happened. 21 Do you recall contracting with Lawrence Livermore Lab to do 22 some downstream testing for you to find out what type of 23 nucleids were present downstream? 24 Yes, I do. A 25

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1	Q Can you expand on that then?
2	A Well, it was Bradley was doing a QA check on
3	our computer program and found that in there there was a 25
4	to 1 dillution factor that had been utilized in making these
5	offsite dose calculations based on the discharges that we had
6	made.
7	Okay, and I think when he went back in and put
8	in the right dillution, which was like 1 to 1 or whatever it
9	was, the large numbers came up. So in order to determine in
10	fact was that the case or not, we hired Lawrence Livermore to
11	come in and start doing some detailed sampling in the stream
12	to see what if anything was present.
13	Q All right, and they came in what in
14	springtime or summertime?
15	A I think spring, March yeah, because the
16	report was you know, you're generating that report and
17	putting it together for the previous year. And so that would
18	have been the early spring, I guess, March, April, May time
19	frame somewhere.
20	Q All right, so basically what Bradley was
21	reporting to you then early in the year earlier than March
22	time frame because if you contracted with Lawrence
23	Livermore in the springtime or somewhere in that range,
24	Bradley had to bring this to your attention prior that.
25	And, basically, you are aware of some

calculational figures specifically in the range of 25 to 1
that on the dillution factor that caused you to have
sufficient enough concern about the offsite calculations to
contract with someone else to test it, is that correct?
A Well, I don't recall we contracted with
Lawrence to test that calculational
Q No, to find out what the results were of any
releases downstream?
A That's right, what in fact was in situ in the
creek.
Q All right. So Bradley's calculations had
somewhat been confirmed whenever you contracted with Lawrence
Livermore?
A Yeah, I think I'm trying to think of what
because we didn't jump right from his discovery to Lawrence
Livermore. There was something in between. We had some fish
samples or something like that that we'd sent off to get
counted. And I think the fish had something in them.
And whether or not Lawrence did that, or CEP,
I don't remember.
Q All right. But in any case, all of that is kind
of the progress of leading from Bradley's concerns into the
cause and results type situation of you have got a problem
identified, and then you moved in to taking certain actions
based on that?

Yeah. A 1 Q And that time frame was in the early to spring 2 time of 1985? 3 A No, I think that was '84. Yeah, I think that 4 was '84 that we -- that that Lawrence Livermore -- maybe not, 5 maybe it was '85. 6 laybe you had Lawrence Livermore doing some 7 work for ' a in '84 and then again in '85? 8 A Well, it was the time frame when he -- you know, 9 it was shortly after he discovered this flaw in the computer 10 program. 11 MR. MEEKS: That was in the spring of 1984, the 12 offsite dose calculation there. 13 THE WITNESS: Okay. 14 MR. MEEKS: So Livermore Lab's involvement would 15 have been subsequent to that 1984 initiation ---16 THE WITNESS: Yeah, because they were -- you 17 know, they were there for -- I recall them being there for a 18 long time. And I -- you know, I just think they started --19 I'm sure they started back in '84. They started before '85, 20 I know that. 21 BY MR. MARSH: 22 All right. So Bradley's problem then was 0 23 actually known back as early as '84, is that what you are 24 saying? 25

Which specific problem are you addressing? We A 1 started ---2 The dose calculations. 0 3 Yeah, the computer program problem with the dose A 4 calculations was recognized in early part of '84. 5 BY MR. MEEKS: 6 That factor of 25 to 1, how did that get in 9 0 there, and what was the result of that study, how that was put 8 in there? 9 My understanding of that was that they had a A 10 computer program that I think they got from the NRC for doing 11 these dose calculations. And that program was put together 12 before Bradley came on the scene, I think when Don Martin was 13 the supervising health physicist in the headquarters office 14 back -- I don't know when that was, but that was in the early 15 '80s sometime, I guess. 16 And it seemed to me that the 25 to 1 was a 17 dillution factor that was used in some example in the calcu-18 lation, and that that was the source of it. 19 All right ---0 20 Because we never had it -- you know, we never A 21 discharged with those kind of dillutions, as far as I recall. 22 Do you recall when the high point vent break 0 23 issue occurred at Rancho Seco? I sure do. A 25

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1 .	Q When was that?	
2	A That was in June of '85.	
3	Q June of '85? In conjunction with that issue,	
4	what is your recollection of either Roger Powers and/or Ed	
5	Bradley talking to youabout the fact that Ed Bradley was doing	
6	a study on the LLD issue, its sufficiency? Because Rancho	
7	Seco was a dry site, he was doing that study, and Bradley's	
8	suggestion that the issuance of that study be held up until	
9	the resolution of the high point vent break issue?	
10	A I don't remember anything about that. Maybe	
11	you've got some more to talk about that will bring it back.	
12	But I sure don't remember	
13	Q What is your recollection of any conversations	
14	you might have had with either Ed Bradley or Roger Powers	
15	concerning the fact that the draft study would be held up	
16	Ed Bradley's draft LLD study on the sufficiency of the	
17	tech-spec LLD would be held up until after startup?	
18	A As I said, I don't recall this business of	
19	holding up the report. Do you have any specific reason maybe	
20	that you know, that why he wanted to hold it up? Or why	
21	it should be held up? Because I just don't remember.	
22	Q Do you recall any conversations along the lines	
23	that maybe with the high point vent break issue and the	
24	resources needed to be concentrated on that, that maybe it wa	-
25	best that the issuance of that draft LLD study, the study	

concerning the sufficiency of the tech-spec LLD, that maybe 1 it would get better exposure after the resolution of the high 2 point vent break and/or after startup? 3 No, I sure don't remember anything about that. A 4 All right. In special report 84-07, one of the 0 5 reasons you stated of variance was it needed -- it is being 6 represented by SMUD -- were the near-term corrective action 7 items. 8 No. 7 of the attachments to special report 84-07, 9 one of the attachments, was "Near-Term Corrective Actions." 10 Near-term corrective action 7 states: 11 "The district has initiated a policy that all 12 releases will be controlled such that Technicol Specification 13 3.17.2 limits will not be exceeded. All sampling of the 14 RHUTs and releases of liquid will be based on this objective. 15 The chemistry and radiation protection personnel responsible 16 for evaluating releases have been instructed concerning these 17 objectives." 18 That first sentence refers to a policy, the 19 district has initiated a policy that all releases will be 20 controlled in order to not exceed the tech-spec limit of 21 3.17.2. What did that policy consist of? Could you expound 22 on that a little more? 23 Did you find something written about this A 24 policy? Because I -- you know, I don't remember specifically 25

1	what it said or even if it got written down. The policy as
2	I best recall is that after all this thing that we'd been
3	through was that you know, I think what got us there was
4	to a large extent we thought that by complying with those
5	release levels in the technical specifications would keep us
6	within that dose manual or not the dose manual, but the
7	criteria in that it had to be you know, that the operating
8	folks, the shift supervisor, the plant superintendent, who
9	signed off for at least permits as well as the chemist that
10	did that recognized the need for strict adherence to that.
11	I don't remember, you know, specifically what
12	we said in that policy or what I said in that policy, or if
13	I was the one who signed it off or the plant superintendent
14	may have been the one who signed it off. I don't remember.
15	Q That is why we are so concerned with what
16	management actions were taken with respect to Ed Bradley's
17	issue. Because your commitments are based, as you stated in
18	there, your commitments and the reason for the variance is
19	your commitment not to exceed tech-spec 3.17.2.
.20	That tech-spec implements the Appendix I
21	A Yeah.
22	Q provisions limits. And that is exactly
23	the issue that Ed Bradley was raising, that those tech-spec
24	limits are the LLD that determines if you are meeting the
25	tech-spec 3.17.2 might not cut it. Therefore, because Rancho
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1	Seco is a dry site, that is why the NRC is concerned what
2	management actions were taken when Ed Bradley raised that
3	issue.
4	And since you are the author of that letter,
5	that is why we want to know precisely when that issue surfaced
6	to you what actions you did take.
7	A Well, what I recall about that was when that
8	issue came up, was to go back and get some of those other
9	samples and see whether or not we were just below the LLD.
10	All I get from you guys, your information that you have, is
11	there was a long time between those two and I don't remember
12	that time there.
13	Q What were the results of those samples that were
14	run that you directed to have run?
15	A I don't remember.
16	Q Did it indicate
17	A I know in that report that I read here, you
18	know, in familiarizing myself with the report that you used
19	as a reference for this discussion, it had in there it
20	listed them, you know, and there were a number of them that
21	there weren't enough sample there.
22	And there were some that I think indicated we
23	were just below the LLD and there were some that were way
24	above that they said Fred Kellie, or whoever in that the
25	plant dismissed that as being contamination in the glassware.

6	
1	But that's just cause I read that thing, you
2	know, last week or so.
3	Q So when was it that you left as assistant
4	general manager nuclear, what was the time frame on that?
5	A The first of May, the end of April.
6	Q Of 1986?
7	A Yes.
8	Q All right. So those samples would have come
9	back. But you don't recall what the resolution of that was
10	as it related to Ed Bradley's issue, whether those samples
11	were coming in right below the LLD level or not?
12	A No. No, I sure don't.
13	Q Returning to No. 7 here of the near-term
14	corrective action items, it states that:
15	"The chemistry and radiation protection
16	personnel responsible for evaluating releases have been
17	instructed concerning these objectives."
18	What management programs were put into place
19	or what specific meetings were held to make sure that the
20	people responsible for doing the analysis and determining
21	whether a release should be made or not, the chemistry and
22	radiation protection people, were aware of the commitment
23	in special report 84-07?
24	A I can't tell you that. I don't know I didn't
25	have that level of detail knowledge of just what the plant

1	did, who they instructed and how they instructed them. You
2	know, these activities were generated for the most part
3	either, you know, in concert with Ed Bradley and Fred Kellie.
4	And the details of what they worked out in there, I can't go
5	into those because I'm just not that familiar with it.
6	Q All right
7	A And I wasn't at the time. I reviewed the letter,
8	signed it, you know, and the put some trust in the guys I
9	had out in the field, that they were doing what they indicated
10	in here we should commit to do.
11	Q All right.
12	MR. MARSH: We have been going about an hour.
13	Why don't we take about a three-minute break here.
14	(Brief recess.)
15	MR. MARSH: On the record.
16	BY MR. MEEKS:
17	Q When did you first become aware that the
18	analysis counting time for the regenerate holdup tank sample
19	analysis was being lowered?
20	A As best I recall, that issue got raised I think
21	as a result of an inspection, an NRC inspection. And I don't
22	know what the time frame of that was. That's what I recall
23	as the source.
24	Q All right, do you recall or what is your
25	recollection concerning Ed Bradley and/or Roger Powers coming

1	to you and telling you that Fred Kellie had been lowering the
2	analysis counting time, and that it merits looking into?
3	A I don't you know, I don't recall the time
4	frame, like I said. What I recall is that that issue got
5	raised as a result of an inspection or maybe not. Maybe
6	Bradley was looking into it. I don't know, but my recollec-
7	tion was that an inspection activity's what raised it.
8	Somebody came to me if it was Bradley or
9	Powers, it may well have been. And I recall asking Coward
10	about that and that that issue needed to get resolved and left
11	it with him to take care of whatever the problem was and get
12	it fixed.
13	But the time frame of that, I sure don't
14	Q All right. Whenever the time frame was, you
15	had conversations with George Coward about it?
16	A Yes.
17	Q All right
18	A Because I think it was George is the guy I
19	remember talking about it. I don't know he became the
20	plant manager in September and I don't know if that was
21	you know, or the end of August whether it was before or
22	after that, because he was the plant superintendent prior to
23	that, too. But George is the guy I
24	Q Recall?
25	A Recall talking to about it.

1	Q What did he report back on the issue?
2	A Well, best I recall, it was kind of a nonproblem
3	from his perspective, that they hadn't deliberately violated
4	anything. It seems to me that they had I don't remember
5	it specifically, but it seems to me that they'd had a change
6	in process or something like that, that changed this counting
7	time and they had gone ahead and used this new counting time
8	before the change got approved or something like that.
9	Q All right. I want to show you a record of a
10	telephone conversation with the Nuclear Regulatory Commission.
11	It was initiated by Frod Kellie and he discussed a telephone
12	conversation he had with Greg Yuhas. And it is dated June
13	6, 1985:
14	"The reason for the call" I am quoting here
15	from the document "resolve meaning or interpretation of
16	second sentence Table notation (c), Table 4.21-1, page 4-71.
17	"Resolution reached" I am quoting again
18	"If a nuclide is below minimally-required LLD (5E-7 micro-
19	curies per cc) but is a positive value, it must be recorded
20	and reported."
21	Down on who received a copy of this, you are
22	down as receiving a copy of this. Let me show that to you
23	and let you review it (handing witness document).
24	What is your recollection of conversations with
25	any of the individuals down for "cc" or anyone else concerning

the reason for that ----1 I don't remember anything specifically because, 2 A you know, there's hundreds of these things generated. So to 3 remember this specific one or what transpired from that ---4 What was your reason for that telephone call? 5 0 I don't ---A 6 Or what precipitated that telephone call? 7 0 I don't know. 8 A Were you involved in ---9 0 A No. 10 --- the front end of it? 11 0 No, not that I recall. No, uh-uh. 12 A And you say you don't recall having any 13 0 conversations with anyone in connection with receiving this 14 record of the convensation? 15 Not without specifically, no. A 16 How about that topic itself, the fact that if 17 0 any peaks are identified, even though they might be below 18 tech-spec LLD 5E-7, you still report them? 19 Yeah -- you know, because my -- I didn't have a 20 A strong background in health physics area and the chemistry 21 area, I really very seldom got, you know, into the details 22 of what all that meant. 23 That wasn't my question. I understand what you 24 0 are saying, it helps give me background. 25

BY MR. MARSH: 1 What does that memo say to you then, with your 0 2 background and as acting in the capacity of the assistant ---3 It tells me ---A 4 --- general manager of nuclear at the time? 0 5 What does that mean? 6 It tells me that Fred Kellie had some question A 7 of interpretation and he went to Greg Yuhas and got what he 8 thought was a satisfactory resolution. And that's what it 9 means. And that he'd use that in whatever area he needed to 10 use it in. 11 All right, would you then interpret that record 0 12 as meaning that was then the interpretation and instructions 13 then to be followed by the SMUD employees in relationship to 14 that subject? 15 Yes, I sure would. Because that's what he said A 16 here, it's a positive value and must be recorded and reported. 17 BY MR. MEEKS: 18 Once again, I am also looking for the answer to 0 19 my question. What is your recollection of conversations with 20 anyone on this subject? 21 I don't recall any -- you know, any specific A 22 conversation on that. 23 MR. MARSH: Let me ask one more here: 24 MR. MEEKS: Sure. 25

BY MR. MARSH:
Q If an employee at SMUD had some reason to
dispute the interpretation by NRC, what would there course
of action be?
A Well, if you know, if it's a guy like one of
the people that work for Kellie, then I'd expect that he'd
come back to Kellie to dispute that and Kellie'd probably
initiate then some more conversation with the interpreter at
the NRC or go to Ed Bradley and ask him for some help in
getting that interpretation redefined.
Q All right. So in the absence of any efforts
to counter this interpretation, you would be expecting that
Kellie was agreeing with it and understood this interpreta-
tion and was then going to implement it?
A Yeah, by the way that reads, it said they
reached the resolution and that was it. That's what I'd
expect them to do.
BY MR. MEEKS:
Q What is your knowledge of a modification that
was made that was in the form of temporary piping excuse
me, PVC piping from the demineralized reactor coolant storage
tank to the regenerate holdup tank, and it allowed water to
be transferred from the DRCST tank to the RHUT?
A Well, I knew we had that piping laying in there
for quite a while.
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think we did some of both. 1 BY MR. MARSH: 2 Was this water in the demineralized reactor 0 3 cooland storage tank radioactive water? 4 Yeah. A 5 Do you know what kind of radioactivity was 0 6 present? 7 Well, it'd be -- you know, it's the -- essen-A 8 tailly, it was radioactivity that came from the reactor core 9 and activated products within the reactor cooland. 10 BY MR. MEEKS: 11 So that modification goes back to the early 80s? 0 12 I think -- yeah, yeah. A 13 And how long was it used? Q 14 I don't know, I can't tell you, you know, A 15 specifically how long. I think -- I don't even remember when 16 we tore all that stuff out. I know we took it out. But I 17 don't remember when. 18 All right ---19 0 It was probably though after -- you know, after A 20 this problem surfaced that what we were discharging was being 21 taken up by the fish and increasing the Cesium in the fish 22 beyond what -- you know, what we'd originally thought it 23 would do. So that would have been -- what? Maybe '84, '85? 24 Why wasn't this modification implemented or 25 0

part and		
1	described in the safety analysis report, or in the updated	
2	safety analysis report?	
3	A I don't know. I guess that nobody considered	
4	when they were updating that that change, to put it in there.	
5	Q Who would you look to as the individuals	
6	responsible for initiating that update?	
7	A Well, the update FSAR was a licensing	
8	responsibility under Bob Dieterick's group.	
9	Q All right. And how would he know that that	
10	modification existed? In other words, it was a change in	
11	the design of the plant, let's establish that. Do you agree	-
12	that it was a change in the design of the plant?	
13	A Yeah, I it's, you know, it was an additional	
14	piping system that was put in there in there as a temporary	-
15	basis, but it was in there for a long time.	
16	Q So Dieterick would be responsible for	
17	A Yeah, and I	
18	Q He is responsible for updating	
19	A Yeah. Now, he	
20	Q the safety analysis report?	
21	A Now, he he had the responsibility for updat-	
22	ing it. Eut he needed inputs from lots of people on updating	
23	it.	-
24	Q Absolutely.	
25	A So that kind of a change, you know, should have	-

. [	come to him from somebody in the plant, you know, the people
	come co man rion boncocy in one plane, yet hint, one people
2	that layed out the design and were responsible for getting
3	it installed were the kind of folks that should have told
4	him that this was a change, don't forget to include that in
5	the FSAR update.
6	But, I don't recall, you know, how vigorously
7	or rigorously the program for updating was put out to the
8	people. It was a licensing responsibility. Whether Dieterick
9	went out and, you know, really sat with the senior folks in
10	the plant and told them I've got to update this thing and I
11	want you guys to go through and thoroughly document whatever
12	changes you've made so I don't miss anything, I don't know.
13	Q Did Dieterick work for you?
14	A Yeah. He came yeah, he worked directly for
15	me, as I said, starting in about mid-'85 sometime.
16	Q You described earlier how many different people
17	reported to you that you managed the program by. And yet you
18	don't know how vigorous or rigorous Dieterick did his job?
19	A I said, I don't recall this you know, he did
20	lots of things. This wasn't the only one, and I don't recall
21	how rigorously he went out to get the input for the FSAR
22	update.
23	Q What type of review should this modification
24	have received?
25	A Well, our you know, at the I'm trying to

1	think back when it went in which was back in the early '80s.
2	You know, we modified and modified our design review program.
3	How it was back then, specifically, I don't remember.
4	But I know, you know, the most recent one, it
5	should have been documented on a design change notice and a
6	qualified engineer review that design change notice and make
7	a determination of whether or not it required a 5059 review
8	and go through that if it did, to go through that review
9	process and through the PRC. And if the determination was it
10	didn't, then it wouldn't have gone through the PRC.
11	Q Now, who would be doing this, again?
12	A Well, the guy responsible for the design. But
13	that would he would do the DCN. The DCN then, as I recall,
14	goes it used to, I don't know what they're doing now, but
15	it used to go to the technical support superintendent that
16	worked for the plant manager. And he'd make a determination
17	of whether or not it needed a 5059 review.
18	That was the most current thing we were doing
19	at the time I left. And we've been doing that for guite a
20	while. I don't remember if we'd been doing that since
21	you know, this thing went in. But I suspect it.
22	Q The design change notice would be by someone
23	involved in that aspect of the plant in your engineering,
24	corporate engineering, nuclear engineering
25	A For the most part, yeah. Now, sometimes you

could have a plant, you know, operations department engineer 1 design something. But that still has to go -- or should go 2 to the engineering group because they have configuration 3 total responsibility. 4 What would be the involvement of the plant 0 5 review committee in that design review, that design change? 6 Well, if it was identified as a 5059 and went 7 A through that chain, then the PRC would review that change for 8 any safety implications. 9 All right. You mentioned earlier that that 10 modification allowed radioactive water to be released through 11 the RHUTs to the environment. 12 Do you know what controls were placed on that 13 water transferred from the DRCST tank, as far as sampling 11 analysis? 15 Well, as I recall, they had to sample that A 16 RHUT before they transferred it to the retention basin. And 17 then they would do another sample at the retention basins to 18 determine the dillution rate before they actually started the 19 discharge. 20 All right, special report 84-07 describes that 0 21 the problem for the excess -- the releases resulting in an 22 excess of radioactivity in those releases -- was the steam 23 generator tube leaks. And it gives the pathway of that 24 radioactive water to the environment. 25

That pathway did not describe the linkup between 1 the DRCST and the RHUT tank. Could you comment on why that 2 pathway wasn't included? 3 No, I really can't. I can only presume that we 4 were -- at the lime we were writing this we were locked into 5 the source of that -- most of that activity was through the 6 steam generator tube leak pathway. 7 And I imagine that's the reason that was the 8 one that got emphasized there and they didn't even think 9 about the other one at the time that was written. 10 Well, let me tell you information that we have 0 11 received on this. And then I want to ask you a question 12 after I tell you this information. 13 When the radioactivity in the RHUT was such 14 that it exceeded the limits and couldn't be released, that 15 water was transferred back through the miscellaneous waste 16 system, back to the DRCST tank. 17 And then the water from that tank was released 18 to the environment. Actually, it went through the evaporators 19 and the boric acid evaporator and what other cleanup 20 processes it did. 21 But it did end up, because it had gamma 22 emitters, it did end up in the DRCST tank. Then it was 23 released through that modification back to the RHUT. 24 Now, this is what has been told to us. With 25

1	that understanding, would you expect that pathway to be
2	reported as a pathway of radioactivity to the environment?
2	A Well, even if it hadn't done that, you know, if
	what you're saving is true, even if it hadn't done that, in
-	retrospect that was a pathway that should have been
5	retrospect chat was a pathway chat should be
6	acknowledge in there, you know.
7	Why it wasn't, I just you know, I don't think
8	it was on purpose. It was just that they were locked into
9	the steam generator tube leak pathway and that's the one that
10	got re you know, that got explained in there.
11	Q All right
12	A Yeah, I think it should have been.
13	Q in October of 1985, Lawrence Livermore
14	Laboratory detected Cesium-137 and Cesium-134 in downstream
15	sediment at levels that were unexpected to them. It was
16	unexpected because there were no reported releases, there
17	were no releases reported for 1985. Still they were getting
18	activity that was much higher than would be expected because
19	of no releases of radioactivity.
20	When this situation was presented to you, what
21	did this tell you?
22	A Say that again now? This was in '85?
23	Q Am I telling you something that sounds
24	unfamiliar? And it might be the way I am explaining it.
25	A Go ahead.

In October of 1985, Livermore Lab found that 0 1 the activity, specifically Cesium-137 and-134 in downstream 2 sediment, was much higher than they would expect. And they 3 presented ----4 This was sampling subsequent to the initial A 5 stuff they had done in '84? 6 This was their 1985 work. 0 7 A Okay. 8 They sampled fish, upstream, downstream. They 0 9 sampled the water upstream and downstream. They sampled 10 the sediment upstream and downstream. 11 When I say upstream, that is closer to the 12 release point. Downstream being however many meters or 13 kilometers it was. But in other words, not adjacent to the 14 release point. 15 At some point -- and they report what it is, 16 I don't recall exactly what it is. But it's -- whether it's 17 at the point where Clay Creek is going into Haddlesville 18 Creek or further on down, I don't know whether it is further 19 on downstream. Do you understand what I am saying? 20 Okay, yeah. A 21 All right. And they were coming up with 0 22 Cesium-137 at levels that surprised them. So they were saying 23 what is going on here? Why is this? It presented a dilemma 24 to them. When that dilemma was presented to you, what was 25

5	
1	your reaction? Or how was that issue presented to you, let's
2	put it that way?
3	A I don't remember what my reaction was. I recall
4	some discussion about the levels not going down as fast as
5	they anticipated, and some discussion about, well, the stuff
6	was maybe remigrating somehow or other.
7	But I don't remember the discussion being that
8	the levels are going up and nothing you know, nothing has
9	been reported as being discharged.
10	Q All right. Well, my question is still the same.
11	A I guess it was yeah, it was
12	Q If you have got levels here that are higher,
13	what was the management review of that situation?
14	A I don't remember. I don't remember what that
15	conversation dealt with.
16	Q All right, in December of 1985 or the time that
17	you remember that you gave instructions to George Coward to
18	do the sampling to see if in fact just what was the
19	sufficiency of Rancho Seco's technical specification LLD, did
20	you initiate any action to have reviewed the situation of
21	Bradley's issue of the sufficiency of the tech-spec as it
22	related to the increased radioactivity in the sediments
23	downstream, that possibly those two were correlated?
24	A I don't remember, Ron, anything specifically
25	about initiating some different action. What I recalled was

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1	that, as I stated earlier, was that Bradley had Bradley	
2	was going to use those samples to determine whether or not	
3	we were just right below it consistently.	
4	And to try to determine whether or not we'd had	
5	a situation where our levels were continuously right below	
6	our level of detection to see if in fact we were in a	
7	situation where possibly we would exceed the tech-spec limits	
8	again.	
9	Q All right, did you	
10	A But I don't recall you know, I haven't	
11	I didn't say I didn't, but I don't remember telling him to do	-
12	anything different than try to pursue that aspect of his	
13	research.	
14	Q Do you comprehend the way I am looking at this	
15	situation?	
16	A Yeah, I sure do. Yeah, that the levels are	
17	going up, that we're not indicating we've discharged any	
18	radioactive material. And the reason is, why the hell is	
19	the radioactivity increasing out there.	
20	Q And Bradley is saying that you might be exceed-	
21	ing the tech-spec limits because Rancho Seco is a dry site	
22	and the tech-spec LLD won't assure adherence to that.	
23	Who would you have looked to in the organization	-
24	that had knowledge of this, that reviewed this matter, to	
25	correlate these matters as it related to your commitment in	

1	84-07 not to make any release?
2	In other words, the picture is starting to
3	build here.
4	A Yeah, I'd look to
5	Q That maybe you are exceeding your tech-spec
6	limits and you are not adhering to the commitments of 84-07.
7	A In answer to that question, I would have looked
8	to the plant manager and his health-physics-chemistry group.
9	BY MR. MARSH:
10	Q And who were they?
11	A Well, that was George Coward and I guess, you
12	know, somewhere along here in '85 Roger Miller. And then he
13	retired about the middle part of '85 and Fred Kellie assumed
14	that role. And he had he rotated the duty on that but
15	that was also I think Dennis Gardner and Bill Wilson, those
16	guys were the senior chem-rad techs that dealt with offsite
17	releases and staying inside technical specifications. Those
18	are the guys I would have looked to to keep a handle on this.
19	Q What role did Pierre Oubre have in this?
20	A Well, he was the plant manager for you know,
21	up until August of '85. George Coward was the plant super-
22	intendent and reported to him and had the responsibility for
23	the health-physics area as well as maintenance and operation.
24	Q So what you are saying then is that you would
25	have relied on the channel going down from you to Oubre to

-	
1	Coward to Kellie or Miller and on to those health-physicists
2	and chemists to be aware of that correlation?
3	A Which correlation are you talking
4	Q The correlation that you are finding radio-
5	activity downstream much greater than what you would anticipate
6	when you are not making any releases?
7	A Yeah, because I'd expect they're going to get
8	that report back from Lawrence Livermore and they were
9	involved in that whole program.
10	Q Were you aware during that period of time that
11	you were in fact making releases?
12	A Well, we knew we were making releases. But my
13	understanding was they were below our level of detection.
14	Now, that didn't mean that there wasn't some you know, some
15	atoms of radioactivity in there. But they were below what
16	we could detect.
17	And our commitment was to release that below
18	those levels and as long as we stayed below those levels we
19	weren't going to get in trouble with our tech-specs.
20	Q Were you aware of reducing the counting time
21	in relationship to that issue?
22	A Well, when that issue came up, that's when I
23	became aware of it. I didn't realize that they weren't
24	counting it you know, at what the procedure prescribed them
25	to be doing.

1	Q Well, what was actually happening is, they were
2	reducing the counting time and therefore minimizing or
3	reducing the effectiveness of detecting the radioactive peaks,
4	because reducing the counting time that is in effect what
5	happens.
6	A Yeah, I recognize that now. But I didn't know
7	that at the time.
8	Q Also, they were diluting the RHUTs before they
9	would do the test, are you aware of that?
10	A Well, I was aware that when they had the RHUT
11	filled, then they would do the test. That was the way they'd
12	operated you know, we'd operated that plant
13	Q Well, if the RHUT is filled, and then you do
14	the test, what are you going to do if the test shows positive
15	that you can't make the release?
16	A Well, that was my understanding that when that
17	occurred, that's when they put it back through the process
18	to clean that water up and remove more of that radioactivity
19	before it was released.
20	Q All right, and then where would that water go?
21	A Well, I thought that water went back to the
22	RHUT after they processed it.
23	Q Through what mechanism?
24	A Well, he just explained the way they were doing
25	it was putting it back through the reactor coolant demin

storage tank and then back to the RHUT. 1 Through the modification? Q 2 Through the modification. A 3 Did you know that that process was taking place? 0 4 Well, I knew they were putting it back into the A 5 RHUT, you know, I didn't go into specifically the path to get 6 it back in ---7 Q But the plant is not designed to move any water 8 from the demineralized reactor coolant storage tank to the 9 RHUTS? 10 Well, I ---A 11 There is no system in your design to move water 0 12 from your primary system into the secondary system for 13 release? 14 A Well, I knew that we'd had that plastic pipe 15 that we put in there. 16 Q So that would be the only way that you would be 17 aware if that could have been happening, is that correct? 18 Well, I -- you know, they -- when they were A 19 putting it down into the basement -- I don't think I -- I 20 don't recall ever really questioning about the path coming 21 back, you know. 22 I know that the reactor coolang demin storage 23 tank was a pathway, but they could have -- you know, could 24 have installed something else to get it back up there. 25

1	I never really dug into it in that kind of
2	detail. All I did know that Coward had told me that occa-
3	sionally they were putting it back down in the basement to
4	remove the radi stive material to make sure that the
5	discharge was below the lower level of detection.
6	BY MR. MEEKS:
7	Q You reviewed Greg Yuhas's inspection report
8	which I had indicated to you this investigation and cur inter-
9	view was based on the information in that report. Now you
10	reviewed that report, didn't you?
11	A I read it in the last few days, yeah.
12	Q Right. If you recall, Mr. Yuhas brought up the
13	issue of not the word "not" being inserted in the bases
14	of the technical specifications of the RETS, do you recall
15	that issue?
16	A I recali that.
17	Q All right. What is your knowledge of the
18	insertion of the word "not" in the bases of RETS?
19	A Only what I read about in that report that I
20	remember, you know. I don't remember anything specific about
21	the time when the RETS was approved at the management safety
22	review committee and whether or not that issue even came up,
23	I don't recall that.
24	Q So you are stating, as I understand it, that
25	nobody came to you and said, listen, the suggested tech-spec

1	
1	wording is such, however we are going to insert the word "not"
2	into that tech-spec because Rancho Seco isn't designed to
3	meet Appendix I?
4	A I don't remember th c, Ron. That would have
5	been the you know, the RETS dats approved at the management
6	safety review committee. And if the topic came up, that's
7	where it would come up.
8	Q It would be discussed
9	A It would not you know, tech-spec revision
10	like that, you know, the guy that normally wrote those tech-
11	specs was or responsible for getting them written, was Ron
12	Columbo.
13	And he wouldn't come to me with something
14	specific like that outside the context of the MSRC.
15	Q But the MSRC could include you in that
16	A Yeah.
17	Q if in fact they wanted your input into it?
18	A That's what I said. If it came up and I
19	don't remember, but if it came up, that would have been the
20	form that would have come up in.
21	Q If it did come up, they did 't include you in
22	the discussion of the review of the
23	A If I was there. I wasn't at all of them. But,
24	if I was there, I would have been a part of that, yeah.
25	Q But if you were there, and it was discussed,

what you are saying now, at this point in time, you don't 1 2 recall any of the --3 No, I don't recall any --A 4 -- deliberations on that? 0 5 -- deliberations on it. A But, wouldn't that be in the meeting minutes 6 0 7 of that MSRC? In setrospect of the issue and the time we 8 A spent on it, it probably should have now. But there were a 9 number of issues that come up, you know, on Tech Spec 10 revisions that we did discuss across the table. And the 11 minutes were not verbatim minutes. 12 The minutes were -- if you review them, you 13 will see that they were pretty much summarized that, if the 14 Tech Spec was approved unanimously or, if there was a 15 dissenting vote, there was a dissenting vote. But you 16 wouldn't go into -- the secretary didn't report the details 17 of the deliberations, you know, verbatim. 18 You made a commitment not to exceed the 19 0 Appendix I limits, or the Tech Spec, the Rancho Seco Tech 20 Specs that implement the Appendix I limits. 21 The inspection revealed that analysis of the 22 RHUT, before it was being released, was counted at 2,000 23 seconds. When gamma-emitting peaks were identified, then 24 they reduced the count time; and, if no further peaks were 25

identified at that reduced count time, then the water was 1 2 released. 3 Do you understand what I am saying? 4 Yeah. A If you would have known of that 5 Okav. 0 practice, at the time that it was being done, both before 6 and after Greg Yuhas told Fred Kellie and NRR and Rancho 7 Seco and SMUD that, if you do have peaks, gamma-emitting 8 peaks, then they are identified and they are to be reported. 9 Now, if that pattern independently came to you 10 -- first of all, let me ask you this question: 11 That type of information, what is the vehicle 12 for that type of information to come to you? . nd what would 13 be the expected course of action? 14 Well, that could, you know, that could be 15 brought -- it would be brought through an Inspection Report 16 or some internal audit picked it up and wrote it up on an 17 Audit Report, that that was going on. Those, I think, 18 19 would be the two normal avenues. Well, just like I did at the time, I would go 20 back to the Plant Manager and tell him that this issue is 21 outstanding and to get it resolved. 22 So you would rely on him to resolve it? 23 0 Yeah. 24 A 25 MR. MEEKS: Okay.

56-Rob, do you have any guestions? 1 MR. MARSH: Let's go off the record for a 2 3 minute. (Discussion off the record.) Δ BY MR. MARSH: 5 Mr. Rodriguez, are you aware of any reporting 6 0 requirements or reports that are made by SMUD to the NRC on 7 an annual or semi-annual basis? 8 Yes, I am. 9 A Are you aware of the content of those reports 10 0 and what they are intended to do? 11 Well, a general awareness, not you know, not A 12 specific chapter and verse. 13 When are the reports submitted? 14 Q Well, there's a, I think, semi-annual report 15 A that's submitted. Oh, I think we need to have one in by 16 March sometime, and the other by September, on gaseous and 17 liquid discharges and its affect on, you know, man-rem 18 exposure to the individuals at the site. 19 So, those semi-annual reports that you refer Q 20 to are specifically to report any radioactive releases? 21 Yes. A 22 And their effects? 0 23 Well, I think there also has -- they also have A 24 a man-rem exposure for maintenance and work activities. I 25

don't think it's just specifically releases. 1 Do you recall making those reports 2 0 submitting those reports to the NRC in the '84-85 time 3 4 frame? Well, I know we made those reports in 5 A accordance with our Tech. Spec requirements throughout the 6 life of the plant. 7 Do you recall the semi-annual report that 8 0 would have been filed in the time period of March of 1985 9 which would have been for the reporting period of July 10 through December of 1984? 11 I don't recall that one specifically. I know A 12 we submitted them routinely. 13 If you are asking me do I remember the date on 14 that specific one, no, I don't. 15 Do you remember the substance of that report? 16 Q (No response.) 17 Specifically, did you report that you had or 0 18 had not made radioactive releases during that six-months 19 reporting period? 20 I don't recall specifically what we said in A 21 22 there. During the report of September, 1985, for the Q 23 reporting period of January through June of 1985, did you 24 report that you had or had not made radioactive releases? 25

I don't remember that specifically, either. 1 Ä For the report in March of 1986 time frame, 2 0 for the reporting period of July to December, 1985, did you 3 report that you had not made any radioactive releases? 4 Again, I don't recall the specifics of what A 5 the report said. 6 Were you, during that period of time, from 7 0 July, 1984 through December, 1985, aware of any radioactive 8 releases being made to the environment through the release 9 of effluence at Rancho Seco? 10 Give me the dates again. A 11 From July of 1984 through December, 1985. Q 12 Well, I'm aware that we had, you know, three A 13 steam generator tube leaks in the summer of '84 and that 14 that contaminated the secondary system. And that, you 15 know, that activity was present, to some extent, in the 16 17 water. Processing to remove that and dilute it to get 18 it down under our LLD and make our discharges in accordance 19 with our requirements would have been what I expected the 20 people to do. But the actual presence of radioactive 21 material was there. 22 All right. In September of 1984, you filed 0 23 the report, Special Report 84-07, with the NRC that stated 24 that you had corrected those problems and that you were not 25

going to make any more radioactive releases; 15 that 1 2 correct? A That's the report you've got here, the one you 3 are -- yeah, that's correct. 4 And that was the intent of that report to 5 assure the NRC that you had corrected your problems and, 6 because you had corrected your problems, there was no need 7 for you to have a variance? 8 That's right. A 9 Do you recall the NRC's response to that? 10 0 No. A 11 Well, for the record, NRC did respond to that 0 12 on November 15th, 1984. It was from Gus Lainas, Assistant 13 Director for Operating Reactors, Division of Licensing, at 14 NRC headquarters. And, essentially, he states that: 15 "NRC has reviewed the actions that you have 16 taken and, since you have already implemented 17 the actions that are expected to reduce the 18 calculated radiological exposure from liquid 19 effluence to within that 40 CFR 190 limits, we 20 agree that a variance in accordance with 40 CFR 21 190.11 is not needed at this time." 22 So, basically, your report, as it was 23 represented, achieved your desired end of NRC determining 24 that you, in fact, did not need a variance; is that correct? 25

Yes. Apparently chat's what he said there. 1 A At the same time period of September, 1984, 2 0 whenever such Report 84-07 was submitted, was there a public 3 announcement made, in any way, by the SMUD organization 4 concerning radioactive releases? 5 See, at a Concord community meeting, a 6 A spokesman -- it was either Martin or Oubre, one of the two, 7 as I recall -- made some comment about, we were going to 8 stop releasing radioactive liquid effluent. 9 So it was clearly your intent, at that time 10 0 frame, not to be releasing radioactive effluence? 11 Well, you know, like I said, there's -- there 12 was always some present. The intent of that is that we 13 weren't going to release it above our -- if we could detect 14 it, then we weren't going to release it. 15 So, if you could detect it, you were not going 16 0 to release it? 17 And your system was set up, at that time, to 18 detect down to a certain lower limits of detection? 19 That's correct. A 20 In 1985, time frame exactly not known, you 0 21 became aware of concerns on the part of Ed Bradley that the 22 dose calculations may not be accurate and, therefore, based 23 on his concerns and calculations, more studies were made. 24 was determined that, through And it 25

1 examination of the Lawrence Livermore Lab that you
2 contracted to to examine the environment, that Cesium 134
3 and 137 were showing up beyond the limits that you would
4 expect if there had been no radioactive releases made.

I am curious as to what you felt your responsibilities, as the Assistant General Manager for Nuclear of that utility, what were your responsibilities to ensure that the commitments that you personally made, that you were the signatory for, were being adhered to?

Well, I think, you know, I felt responsible 10 A that our organization recognized that, what we had -- how we 11 had been handling radioactive liquid in the past, i.e. that, 12 by staying just within the limits of what the Tech Spec 13 said, was not sufficient to prevent us from exceeding the 14 Appendix I limit and that we took measures to bring our 15 operation into a configuration that would keep us within the 16 Appendix I limits. 17

And part of that was, you know, the actions that we took to stop discharge -- stop regenerating the resins which, from everything that went around with regard to the investigation, indicated that regeneration and the discharge of that effluent was the major source of the activity that was in the stream. And we did that.

And, furthermore, that there was much closer adherence by the Chemistry people in their counting

1 techniques to make sure that we stayed below the Tech Spec
2 limits for discharge.

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Q And that was your commitment in Report 84-01? A Well, one of a number of them.

Well, I am just concerned that we've got -well, let me summarize a little bit on exactly what we've discovered here.

SMUD well 25 the 1984, you, 8.5 In 8 organization, was aware of problems with your dose 9 calculations for offsite releases. You were aware of lower 10 limits of detection problems on those calculations. You 11 were aware of exceeding ---12

A Wait a minute. In 1984, the problem came about because of this looking at our -- the offsite dose calculations computer program that did that, that's what came about in '84.

The LLD problem was the kind of thing that surfaced in, I guess, late '85, at least as I recall, that was when Bradley stated that he needed these samples counted to determine whether or not our sampling, and the LLD we had available to us and the technique that we were using, was just above what was actually there.

Q Well, I submit to you that you knew that in the early part of '85 not the late part of '35 because Bradley came to you, with Powers, at a meeting and presented

1 this problem to you.

A I don't recall the time frame, as I said 3 earlier.

Q Then you were aware of the fact that you had exceeded your technical specification limits, as you stated in Report 84-07 to the Nuclear Regulatory Commission, but that you were going to correct -- that you had corrected those problems.

And you were also aware, in 1984, of the modification to the design of the plant, where you were moving water from the primary system, that was radioactive, into the secondary system of the Regenerate Holdup Tanks, which was the release point of water from the plant.

In September, 1984, you made a commitment to the NRC, and to the public, not to make releases. And, as you have stated, it was not to make releases that you could detect.

A That's right.

18

19 Q And that you had a system in place of checking
20 that would detect the nuclides if they were present.

21 A Well, if they were present above a certain 22 level.

23 Q In 1985, in the early part of 1985, you then 24 became aware of the dose calculation problems, as presented 25 by Bradley, and you became aware of the Lawrence Livermore

Laboratory findings of Cesium 134 and 137 downstream. And 1 you were still aware of the modification to the design of 2 the plant as a pathway for release. 3 And what you are telling me is that you nor 4 anyone else, and you can't seem to place your finger on 5 someone that was specifically responsible to be making those 6 correlations as to what your problem was? 7 It sounds to me like you were just reducing 8 the count time so that you wouldn't detect it and that you 9 were diluting the effluence to the point that it was making 10 it less possible to detect. 11 And nobody was concerning themselves with what 12 was being released and what the buildur was downstream; you 13 were just manipulating your system so that you wouldn't 14 detect it; isn't that true? 15 Well I -- you know, that sure wasn't being A 16 consciously done by me; and I'm a firm believer that it 17 wasn't being consciously done by the Flant Manager and his 18 staff, you know. 19 Your summary of the facts are that that's 20 probably what happened; but we weren't doing that 21 consciously. 22 Well, who was responsible not to do that? 0 23 . I mean, there is a responsibility here that 24 you have with your license ---25

Yeah ---1 A -- not to do certain things. 2 0 Yeah, and I'd have looked toward the Health 3 A Physics Group and Bradley's area to oversee and correlate 4 5 that. Are you aware of the semi-annual reports that 6 0 I mentioned earlier as to whether you, specifically, signed 7 those reports? 8 I'd signed the letter that sent those reports 9 off. I recall doing that. 10 So, if you were sending a report and reporting Q 11 that no radioactivity was released, when in fact it had 12 been, that report is false. 13 Well, you know, if you're implying here that I 14 A purposely made some false statement, I deny that. I did not 15 do that; okay. 16 In our detection of radioactive material, if 17 we couldn't detect it, then it was reported as not being 18 there. Now, you know, I am aware that radioactive material 19 exists in everything ---20 But what if it was detected but not reported. 0 21 Then that's wrong. It should have been 22 A reported if it was detected. But I was unaware -- and I'd 23 expect that, you know, the Plant Manager, who also looked 24 through that report, would be unaware that, in fact, it was 25



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IMAGE EVALUATION TEST TARGET (MT-3)







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IMAGE EVALUATION TEST TARGET (MT-3)









IMAGE EVALUATION TEST TARGET (MT-3)

















1 being detected and not being reported.

I don't think people were doing that; and if you've got, you know, some proof that shows otherwise, I'd sure like to see it.

5 But I don't, you know -- I can't believe that 6 anybody was deliberately trying to falsify that report by 7 not reporting stuff that they were detecting.

But, if the nuclides were detected and then 8 Q the count time was reduced to a level or period of time that 9 did not detect those nuclides, the record would then reflect 10 that no radioactivity was released when, in fact, you had 11 record that the nuclides had been detected and you had an 12 interpretation by the NRC, that had been agreed to by your 13 own supervisory personnel, that, if they were detected, they 14 would be reported. 15

16 A Do you want me to respond to that? You know, 17 that's what you're telling me; but I say, I submit -- that 18 I'm aware of anybody deliberately falsifying the record.

Now, the -- I know that there was a lower level of detection limit; and how much that was influenced by how many seconds they counted, you know, the technical aspects of that, I don't know.

But I would have expected that whatever number of seconds they used to make that count would have been sufficient to give them at least what that lower level of

<sup>1</sup> detection limit was supposed to be in accordance with the <sup>2</sup> Technical Specifications.

Now I'm, to this day, unaware of somebody using a count rate that would give them a lower level of detection that was greater than what the Tech Specs --

6 Q But if the nuclide was detected at a count 7 period, and that same volume of water was then tested for a 8 lesser period, and that peak would not then be detected, 9 wouldn't that be manipulative of the record?

Well, it depends on what, I think -- on now 10 the Chemistry folks viewed the definition of that lower 11 limit, the Tech Spec limit, that they had to be able to 12 count to to see. And, if they counted long enough to see 13 that quantity, then I could see it might not be, you know, 14 technically correct, but I could see them interpreting as 15 they would have counted long enough to reach that level of 16 detection. 17

And, if it's not there, we don't see it, then we can assume it's not there. And, had we counted longer, you know, you may see -- you may see a peak. And that's what, you know, that's what I think, in their own mind, justified them lowering the count rate.

23 Q Well, if that's the case, how can you justify 24 that your commitment, in Report 84-07, that you were going 25 to be extra .iuliant in your Chemistry Department and that

you had given them specific instructions and were going to 1 do very specific things in their extra vigilance, how can 2 that then correlate to reducing the count times so that you 3 cannot detect the nuclide? 4 I can't -- you know, I can't explain that 5 A away. I know, at the time that we submitted this -- and, 6 obviously from the, you know, the discussion we've had here 7 -- they went to the 2,000-count program. Sometime 8 subsequent to that they changed it. I don't know why. 9 You don't know why? 10 Q No, I do not know why they changed it. A 11 Well, do you understand that, by reducing the Q 12 count time, that you reduce your ability to detect nuclides? 13 Yes. A 14 Do you also understand that, to dilute the 0 15 volume of water before you test, also makes it more 16 difficult to detect the nuclide? 17 Yes. 18 You are the one that made the commitment to 19 0 the NRC that you were going to be extra vigilant and yet you 20 have not been able to explain to us, in any way, how you 21 implemented your policy of this vigilance, other than that, 22 we are finding out, that, in fact, they reduced the 23 vigilance. Rather than being more vigilant, they were less 24 vigilant. 25
And I didn't personally go down there 1 and A And that was not part of 2 check them; okay. my responsibility to do it personally. 3 But certainly this commitment that we made got 4 distributed to all of the Managers and the Plant Manager was 5 the gay that I'd hold accountable for ensuring that his 6 people complied with that commitment. 7 You know, subsequent to this, we upgraded the 8 quality assurance area and brought in a guy with a pretty 9 good chemistry/health physics background to provide better 10 oversight into that area. And I don't think he was there at 11 the time that this count rate change got -- occurred. 12 Well, I am kind of putting you on the spot 13 0 here: I realize that. 14 Well, I ---15 A These are pretty penetrating questions; and 16 0 they are hard for you. I understand the management role. 17 At that level, you weren't out there doing the 18 19 test yourself and so forth. And I guess I have some empathy for you in 20 that you've made commitments to the Regulatory Agency; and 21 have a management team that's supposed to be 22 you implementing the policy that you've promulgated here. 23 It's just difficult for me, though, in 24 empathizing with those chores, to having the responsibility 25

1	in relying on your management team.
2	Whose is responsible for this?
3	I mean, after all your studying and so forth
4	of all of this, and being aware of it
5	A Well, you know
6	Q We've got to come to a resolution here.
7	A changing the count rate, you know, I think
8	definitely is a responsibility of the Superin wrient that
9	made the decision to do that.
10	Now, my understanding, you know, of Coward's
11	looking into that was that, when they changed that count
12	rate, that they felt that that count rate, a thousand
13	seconds, still gave them a level of detection that was below
14	what the technical specification level of detection was.
15	And what really, I think, didn't happen and
16	I don't know why it didn't happen was to correlate the
17	fact that, okay, you're still putting out large quantities
18	of this water and what's the effect of that and is that
19	going to keep us under the Technical Specification.
20	And that was Bradley's, I think, oversight of
21	this, was to try to track how much water was getting
22	discharged and keep track of if you are right below that
23	level of detection, were you going to get could you
24	potentially get in trouble with Appendix I.
25	And I think that's the reason he wanted these

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1 samples that CEP counted for a longer time period to 2 determine just what level of radioactive material might have 3 been in those samples.

The other thing -- and, you know, it's no excuse -- but, you know, throughout this time, Rancho Seco was in a real turmoil. There were a lot of issues that, you know, occupied my time and occupied the Plant Manager's time. And this was, you know, probably one of those that was in there amongst a lot of them and didn't get the attention that it probably should have gotten.

But, you know, from the line of questioning, what bothers me is that there is some implication here that there was a, you know, a conspiracy to try to falsely report what was happening. I assure you, it was not there.

Q Well, I guess I feel that there are some reasons to believe that way. And, certainly, I am concerned; and that's why we are here asking these guestions, that we've got the commitment made by the utility to be more vigilant. You have described, generally, the only pathway to release radioactivity when, in fact, that wasn't the only pathway.

Clearly, a major pathway is omitted; and it's a pathway that does put radioactivity out of the plant. It's a pathway that's a modification of the design that has been constructed in a manner that has not gone through the

1 normal review process.

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2	And the results of that are that you were
3	moving radioactivity off of the plant in a method that has
4	never been reported to the NRC. And the system is set up
5	upon the government relying on your completeness and
6	thoroughness of the reporting. And this is not a
7	complete representation of your pathway.
8	And then, once your commitment is made, that
9	you won't release and that you are going to be more
10	vigilant, you discover that nuclides are being detected.
11	And, right at that same period of time, you
12	have a reduction in the count time which makes it more
13	difficult to detect the nuclide and, therefore, creates a
14	record that can support releasing the radioactivity that
15	wasn't detected.
16	And I guess, like I said earlier, I empathize
17	with your situation sitting up here probably over at the
18	SMUD headquarters, not on the plant side, trying to manage
19	these operations. But you have to recognize this pattern of
20	events that's causing me a lot of distress.
21	I mean, what do you feel about this?
22	A Well, you know, I you know, what you've
23	done is correlate all of that, okay, and I didn't do that.
24	And I didn't have anybody in our organization that did that,
25	apparently. There should have been; but nobody, apparently,

1 did.

2 But, you know, I think, in the shortcoming in the thinking at the plant, I can only presume came about 3 from the standpoint that they felt that if they counted 4 sufficiently long to get a level of detection below what the 5 Tech Spec minimum level of detection was, that they could 6 discharge. And that's what I think led to this change in 7 the count rate. 8

9 But don't you agree that, if they were 0 changing the count time after they had made detections, and 10 they were then changing the count time to a lesser amount 11 and creating a record that would then allow them to release, 12 that they were not complying with the spirit and the intent 13 14 -

The spirit --15 A

-- of the commitment? 16 0

The spirit of it, yes, very definitely --17 A

And they were also not complying with the 18 0 interpretation that had been -- that a resolution had been 19 come to; it had been brought in reporting detected nuclides. 20 Yeah -- the spirit, but I guess the -- that 21 A halcyon that talked about the level -- what was it, five 22 times ten to the minus ---23

5E-7. Q

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25

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Yeah, that, if it was above that, it was

should be reported. And, you know, I don't know the details 1 of it but I would have assumed that, based on that 2 resolution, that, if they had levels that were above five 3 times ten to the minus seven, they would have reported it. 4 Well, that letter does not say that; that memo 5 0 doesn't say that. That memo says that, regardless of what 6 level you were testing to, if you detect nuclides, they must 7 be reported. 8 Okay, I misinterpreted what I am seeing in 9 A 10 that. MR. MEEKS: Let the record show that Mr. 11 Rodriguez has reviewed the June 6th, 1985 Telecom record 12 with the Nuclear Regulatory Commission that we referred to 13 earlier. Whereas, the resolution reached states: 14 "If a nuclide is below minimally-required LLD, 15 5E-7, but is a positive value, it must be 16 recorded and reported." 17 THE WITNESS: No, I can't argue with that. 18 That's right; that's what it says. And it 19 should have been reported. 20 BY MR. MARSE: 21 So what was going on, if what I've described 22 0 to you was in fact going on, that's clearly wrong. 23 Uh-huh. A 24 And you are saying that you had no knowledge 0 25

1	of this?
2	A No. No, I don't have I don't remember that
3	specific, you know, halcyon that I said earlier; and I had
4	no knowledge that they were, in fact, not reporting positive
5	activity levels that that report says they should have done.
6	MR. MARSH: Okay.
7	I have no further questions.
8	Oh, I am sorry; yes, I do. There is one
9	other; I didn't look at my notes. I should always look at
10	my notes.
11	BY MR. MARSH:
12	Q Did you have a commitment tracking system in
13	place at Rancho Seco or SMUD?
14	A Yes.
15	Q Could you describe what kind of commitments
16	would go into that tracking system and why and how it would
17	operate?
18	A Well, the commitments that were made to the
19	NRC and to the insurance agencies and to the commitments
20	to comply with internal audit requirements were screened.
21	Each Department had a coordinator; and
22	commitments that that particular Department were responsible
23	for were documented on a little slip of paper and sent to a
24	central location to be put on a computer list. And then
25	that list periodically, that list was printed and sent

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to responsible managers and supervisors. 1 Do you know if the commitments that were made 2 0 in Special Report 84-07 were, in fact, entered into the 3 4 commitment tracking system? I don't know for a fact, no. 5 A Do you recall getting any feedback to it or --6 0 No, I don't. I would -- this is the kind of 7 A thing that should have gone it -- on there. And it would 8 have been the originator of this' responsibility -- it 9 probably came out of the plant -- to get that on to that 10 commitment tracking system. 11 MR. MARSH: Okay; thank you. 12 That's all of my questions. 13 MR. MEEKS: When you are referring to "...this 14 is the kind of thing ... ", let the record show that Mr. 15 Rodriguez is placing his hand on Special Report 84-07. 16 THE WITNESS: This is a commitment to the NRC 17 and those are, most definitely, the kinds of things that we 18 are supposed to get onto that list. 19 MR. MEEKS: Mr. Rodriguez, have I or any other 20 NRC representative here threatened you in any manner or 21 offered you any rewards in return for this statement? 22 THE WITNESS: No. 23 MR. MEEKS: Have you given this statement 24 freely and voluntarily? 25

1	THE WITNESS: Yes.
2	MR. MEEKS: Is there anything further you
3	would care to add for the record?
4	THE WITNESS: Well, only, I guess, I would
5	like to emphasize, again, is that, you know, is that the
6	implication, from this conversation, is that, you know, that
7	there was something deliberate in not reporting what should
8	have been reported. And I sure didn't do anything
9	deliberate; and I don't think you know, I don't think the
10	people throughout that organization did anything deliberate.
11	They made some mistakes, apparently; but I
12	don't think it was from the standpoint of trying to deceive
13	the NRC.
14	MR. MEEKS: Thank you.
15	MR. MARSH: Let the record show that the
16	interview concluded at 8:21 p.m.
17	(Whereupon, at 8:21 p.m., the interview was
18	concluded.)
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This is to certify that the attached proceedings before the TTED STATES NUCLEAR REGULATORY COMMISSION in the matter of: E OF PROCEEDING: INVESTIGATIVE INTERVIEW (CLOSED MEETING)

DOCKET NO .: NONE

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PLACE: San Diego, California DATE: 7 April 1987

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission.

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MARTY TURK

Official Reporter

Reporter's Affiliation Jim Higgins and Associates

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