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August 16, 1993

Honorable James Sasser  
298 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator:

Messrs W.F. Jocher, G.L. Fiser, and Dr. D.R. Matthews wish to make you aware of a repressive management structure within the TVA's Nuclear Power Agency; a cultural heritage that emanates from its architect and mentor, Mr. Oliver Kingsley, and threatens the viability of the Nuclear Power Program. Senior managers are affected by this atmosphere and as a result are fearful of using the corrective action process. Adherence to the unwritten rule, "don't report or document safety related problems, especially those requiring capital dollars to fix", ensures a long career at TVA. Bucking this precept has for these three authors, men with exemplary service records, no records of counselling here or at prior utility employers, resulted in retaliation to varying degrees in 1993:

W.F. Jocher, Manager, Corporate Nuclear Chemistry, resignation coerced, 28 years in the industry.

G.L. Fiser, Chemistry and Environmental Superintendent at Sequoyah Nuclear Plant (SQN), demoted and then surplused after 20 years in the industry.

D.R. Matthews, Chemistry and Environmental Superintendent at Watts Bar Nuclear Plant, demoted after 20 years in the industry.

Jocher and Matthews have filed harassment and discrimination suits with the Department of Labor (DOL). Fiser is preparing a similar suit which will be filed late in August. Each accuses TVA of taking action against them as a result of initiatives in the identification/documentation of safety related problems, (see attached suits for specifics).

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Mr. Jocher resigned effective 7/6/93 after he was given an alternative notice of termination 30 days hence. The notice of termination referenced numerous performance problems brought to his attention, particularly his management style, without subsequent improvement. Mr. Jocher was never counselled, or advised that he had a problem threatening his job. His reviews at corporate chemistry 11/90-11/92 were above average as are all his evaluations with six previous employers. For his efforts as Corporate Manager he received the "Nuclear Power Award for Excellence". While

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-serving as chemistry manager at SQN 3/92-3/93 (temporary assignment), his reviews were above average recommending him in October of 1992 for promotion to manage both Health Physics and Chemistry. Mr. Jocher feels that his predicament was solely orchestrated by president of the generating group, Mr. O.D. Kingsley (ODK), as a result of Jocher's efforts at SQN and Corporate headquarters; numerous training and process chemistry instrumentation initiatives were recorded in the corrective action process as Significant Corrective Action Reports (SCAR), the top tier tool in the program. These SCARS were in direct conflict with written assurances ODK communicated to board member Mr. John Waters in 1991 when Waters requested a status on the efficacy of chemistry technician training and the availability of chemistry process instrumentation. Kingsley's response indicated that training issues were adequately addressed; there were process instrument availability problems at SQN; engineering fixes were however scheduled for 1991 with equipment purchase and installation scheduled for '92 and '93. ODK neglected to tell Mr. Waters the truth of reported training and equipment problems previously conveyed to him in 1988 and 1989 by the Operational Readiness Review and Nuclear Management Review Groups (ORR, and NMRG). Kingsley also conveniently neglected to inform Waters that he cut budgeted monies to address process equipment problems in 1988 and 1989, as he would do again in '91, '92, and '93.

One year later a comprehensive report of SQN training and equipment problems was reported to Kingsley and Waters in September, 1992, by the Institute of Nuclear Power Operations (INPO). Their report of problems at SQN relied significantly on SCARs generated by Fiser and Jocher respectively. INPO's audit of SQN chemistry left no doubt that Kingsley mislead Waters earlier in 1991 on issues for which Waters had previously sought accurate characterizations. During the subsequent INPO debrief, Waters took a critical tone with Kingsley. He reminded Kingsley of his reassuring commitment to him that training was being adequately addressed, and fixes were scheduled for instrumentation problems in '92 and '93.

ODK is a man of immense ego, mercurial temperament, and not above sacrificing a few underlings to compensate for his chiding from Waters. Jocher and Fiser met all the candidate requirements. Both men had documented significant deficiencies with chemistry technician training and process instrument problems (fixes that would cost approximately 20 million capital dollars). Mr. Jocher was responsible for identifying to Quality Assurance and the Nuclear Safety Review Board (NSRB) the following deficiencies:

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- inadequate technician job knowledge
- inadequate technician training instructor qualifications
- inadequate technician retraining curriculum
- closing the training lab, using it as a storage area
- incorrect process instrument setpoints
- incorrect nuclear containment high radiation setpoints necessitating a License Event Report
- inability of 90% of shift technicians to obtain a Post Accident Sample System (PASS) sample of reactor coolant
- identified to NSRB a material false statement made to NRC

The material false statement, currently being evaluated by the NRC Office of Investigations, has serious implications and potential involvement with the penal system. Specifically, SQN management claimed in the Chemical Traffic Control (CTC) Notice of Violation (NOV) response, 11/3/92, closure on two commitments identified as root causes in the incident investigation: 1) That craft specific training had been completed; 2) Everyone on site had attended a screening of a training film on CTC fundamentals. Both claims are patently false. What can be shown is that satellite viewing areas were set up around the site to see the film three months before the response was made. There is no substantive evidence to support the craft specific training. There is evidence showing that management knew just prior to making the initial response, 11/3/92, that 450 people including the Site Vice President, Plant Manager, and most department heads had not seen the film. Mr. Jocher did not offer information to anyone regarding delinquencies in viewing the film until NSRB requested a CTC status in January of 1993.

Additional material false statements may have recently been made by TVA in response to Mr. Jocher's allegation. At his home, in the presence of a court reporter, Jocher was shown a letter revising TVA's 100% film attendance down to 90% for most departments, 100% for Chemistry and Modifications, and all but three people in Operations. Jocher challenged the Modifications and Operations numbers by supplying the NRC investigator with a training printout from January, 1993, that suggests TVA numbers are in error or are misrepresented.

Mr. Fiser, like Jocher also reported/documented safety related problems in his capacity as Chemistry and Environmental Superintendent from 1988 to 1991 at SQN. Fiser has also worked with distinction in all his assignments with TVA and for former utility employers. In 1991 Mr. Fiser was rotated to the Work Control group to help manage the Unit 1 Cycle 6 refueling outage, where he remained until January of 1992. In March of 1992, he and

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Bill Jocher exchanged positions on a rotational assignment.

Problems identified as safety related or requiring significant capital dollars to correct by Fiser from 1988 to 1991 are as follows:

- PASS equipment availability and design problems which limited use of the equipment and contributed to a job knowledge problem in this area.
- Problems with the emergency diesel generator seven day storage tank recirculation system. This finding rendered the emergency diesel generators inoperable and placed both units at Sequoyah in a Limiting Condition of Operation.
- Process chemistry equipment availability being unacceptably low, (many times only 50% or less was available). Many of these instruments could have been returned to service if management had not directed personnel resources to be used elsewhere.
- Money budgeted to implement a comprehensive raw cooling water treatment program to preclude corrosion and biological fouling of safety related equipment was cut from the budget year after year.
- The inability of chemistry technicians to draw a reactor coolant sample from PASS during an accident in under three hours, for the purposes of assessing reactor vessel and fuel conditions.

This last item was strongly contested by Site Vice President, Mr. Jack L. Wilson. His position was based on a more flexible time limit, not three hours as required by Regulatory Guide 0737. Licensing contacted Nuclear Reactor Regulations (NRR) and asked for an interpretation. Their response supported the three hour time limit. This led Jocher and Fiser to test SQN technicians ability to meet the three hour criteria; 75% failed the test, most not knowing the difference between the gas and liquid sample panels. Six months of remedial training was initiated to correct this condition by in-house chemistry staff and by what little help could be supplied by the site training organization.

Bear in mind that Mr. Fiser was on temporary assignment much of 1991 and almost all of 1992. In a discussion with SQN Plant Manager Mr. Rob Beecken, Fiser was told he was being held responsible for:

- The poor showing of the SQN chemistry program in the 1992 INPO assessment.

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- The technician job knowledge problems identified in the 1992 INPO assessment.
- The containment radiation monitor setpoint LER.
- The containment radiation monitor valve misalignment by chemistry technicians.
- The instrument availability problems and outdated equipment.  
(Note: The last assertion was made by the Site Vice President, Mr. Jack Wilson.)

Mr. Beecken did not volunteer any culpability on the part of management for dismissing all degreed chemistry training instructors, leaving only one instructor without a degree; likewise management would not accept any blame for closing the chemistry training lab down and converting it into a storage room; the radiation monitor setpoint LER was Fiser's problem notwithstanding the facts which indicate otherwise, i.e., in 1982 NRC sent technical information to all Nuclear Sites (IE Bulletin) that warned of conditions that could compromise containment radiation monitor setpoints. The bulletin was distributed to chemistry and engineering for evaluation which was not adequately performed. This erroneous evaluation was performed fully five years before Fiser accepted employment with TVA. Therefore, Fiser suffered reprisals because he and/or his employees found, documented, reported and fixed a preexisting problem with a radiation monitor setpoint. But Mr. Beecken was not in a mood to hear any of that, he was only interested in venting his frustration, cursing, swearing, beating his desk, bent on deflecting blame onto others and away from himself.

Beecken also did not entertain any notions that management erred in eliminating monies budgeted by Fiser to correct instrument availability problems. Indeed during the INPO exit, Mr. Waters put ODK on the hotseat over this issue. However, it was suggested by the Site Vice President, Mr. J.L. Wilson, that the problem was Fiser's because he did not pound the table and demand that these multimillion dollar projects be funded, (even though they found the money for a multimillion dollar cafeteria project).

Dr. Ralph Matthews at Watts Bar Nuclear Plant (WBN) was threatened with termination in early 1993. This action was later rescinded and Matthews subsequently was demoted from his position and replaced by a direct report. This action was taken against him for refusing to sign a system completion document in support of the startup program. He knew that an NRC commitment to install flush connections in raw cooling water supply headers was never started or completed. Signing would have been a material false statement, and he was unwilling to be a party to such an act. When Mr.

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Muessler, the Site Vice President, confronted Operations Manager Mr. Larry Jackson, who was Matthew's boss, Jackson claimed Dr. Matthews didn't tell him about the flush connection commitment or generally keep him informed. Regarding insufficient information pertinent to the need for flush connections, Jackson's statements are incorrect for the following reasons:

- Immediately after the January 1991 NRC meeting, Bill Jocher and Dr. Matthews described the treatment protocol for which vendor services would be procured in order to prevent microbiologically induced corrosion (MIC).
- Jocher and Matthews also described the reasons for adding the flush connections which would allow chemical into the dead legs to preclude corrosion and affect a protective coating.
- Jackson also reviewed the successful vendor bid response awarded to prevent MIC. In that bid proposal the vendor clearly states the necessity for the flush connections and goes on to indicate that the efficacy of the program is dependent upon their installation.

Feigning ignorance on the issue, Jackson replaced Ralph with a politically more acceptable recent hire, so he could save face. The newly appointed chemistry superintendent however, lacks the requisite experience this position demands to deal with technical problems. Bill Jocher, in his capacity as corporate chemistry manager, was asked to supply tutorial services for this new chemistry manager and his staff in preparation for a NRC drill. When Jocher asked why, Emergency Preparedness personal characterized the new chemistry people as inexperienced and thought them not capable of supporting the drill scenario exercise which would be scored by NRC.

Dr. Matthews, like Fiser and Jocher, has an excellent work record with previous employers and TVA. His boss was compromised by his own neglect. Matthew's refusal to sign the closure document was the correct thing to do, but it brought about his unwarranted demotion, news of which has spread throughout our small industry. This action potentially threatens his ability to make a living. All three men show a similar fate perpetrated on them by a management structure rampant with abuse and distinguished only by its lack of integrity.

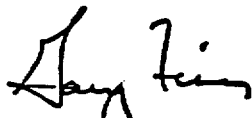
In summary, three men have had their careers and lives disrupted by a repressive, pervasive management mentality that mandates we tell regulators what they want to hear; don't document problems and don't spend visible capital dollars to solve problems. This is truly unfortunate as there are a significant number of talented

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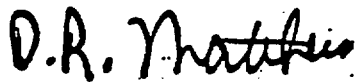
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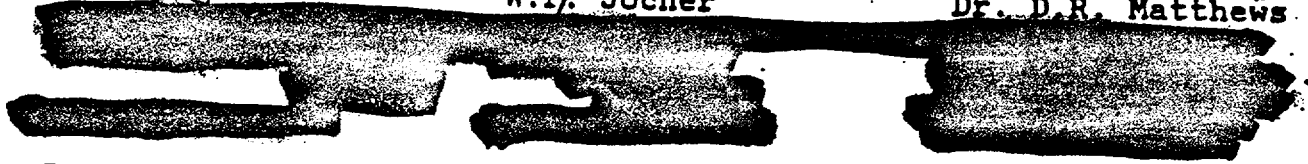
people within the agency capable of solving the problems and maintaining fiscal balance. These people are however afraid to do their jobs. While leadership publicly articulates all the buzz words and catchy phrases to appease various watchgroups and regulatory bodies, it is implicitly understood that doing anything substantive beyond maintaining appearances could lead to reprisals by management.

Thank you,

  
G.L. Flier

  
W.F. Jocher

  
Dr. D.R. Matthews



Enclosures (2)

cc: Dr. Ivan Selin  
Chairman, United States Nuclear Regulatory Commission

Mr. Oscar deMiranda  
Office of Allegations  
United States Nuclear Regulatory Commission

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