

SNQ Chemistry problems were well known

By John B. Carpenter
HERALD-NEWS EDITOR

The problems with Sequoyah Nuclear Plant's chemistry program were not new when Bill Jocher discovered them in 1992; in fact, the problems had been documented by TVA employees and outside monitoring groups as early as 1988, yet Jocher says little was done to correct the problems.

Jocher, who lives in Dayton, is the most senior Tennessee Valley Authority manager to turn whistleblower to date. He says he believes there would be many more but they are afraid for their jobs, despite TVA assurances to the Nuclear Regulatory Commission (NRC) and U.S. Department of Labor (DOL) that it will not harass employees who draw attention to problems within the utility.

A 28-year veteran of the nuclear power industry, Jocher believes he was forced to resign precisely because he drew attention to problems within TVA's Sequoyah chemistry program.

The U.S. Department of Labor (DOL) seems to agree with him. A



preliminary ruling by DOL would require TVA to reinstate Jocher at a position equal to his last job, pay his back salary and any expenses, including legal fees, incurred in filing his complaint. TVA has appealed that ruling.

Subsequent investigations by the NRC and the Institute for Nuclear Plant Operations also supported many of the technical issues Jocher raised

Jocher wasn't the only one harassed because of his whistle-blowing activities. The chemistry managers at Sequoyah and Watts Bar nuclear plants also lost their jobs when they drew attention to deficiencies within their programs.

Gary Fiser, manager of the chemistry program at Sequoyah, both before and after Jocher, lost his job through a reduction in force (RIF), even though a new chemistry manager was hired. Fiser filed a complaint with DOL and later, as part of a settlement, received a position as a corporate chemistry program manager for Watts Bar Nuclear Plant at one lower pay grade.

Fiser initially reported many of the problems later found by Jocher at Sequoyah and implemented corrective action plans to solve the problems. But Fiser was transferred out of the chemistry program at Sequoyah before he could fully implement his solutions.

D.R. Matthews, Watts Bar Nuclear Plant chemistry manager, was fired because he refused to cer-

tify that a plant system was complete in spite of the fact it was missing a vital component, according to Jocher. Even the TVA Inspector General found that there was a link between Matthews' concerns about the chemistry program and his firing.

Perhaps what started Jocher's demise was when TVA Board Chairman John Waters learned of problems in the Sequoyah chemistry program from INPO and the Nuclear Safety Review Board (NSRB) rather than through the TVA chain of command. After alerting his superiors to the problems, Jocher also filed reports with INPO and the NSRB.

"I would like a brief report on TVA chemistry at SNQ [Sequoyah Nuclear Plant]...." Waters wrote to Kingsley in a Nov. 27, 1990 memo. "Do we have a good program? Are TVA people who perform chemistry control well trained and maintaining a quality process? What is the condition of our chemistry monitors relative to maintenance and calibration?"

Kingsley responded on Dec. 3, 1990: "It is my observation that the chemistry programs at our sites are receiving the necessary attention to improve performance; however, there are hardware problems with some SNQ equipment."

But Kingsley was notified of technician knowledge and process instrumentation problems at Sequoyah Nuclear Plant as early as 1988 and 1989 by the Operational Readiness Review (ORR) and Nuclear Management Review Groups (NMRG). Jocher's concerns reported to INPO reinforced those voiced by the chemistry program at Sequoyah.

In early 1991 Waters was informed by INPO of a variety of problems at Sequoyah Nuclear Plant.

EXHIBIT
12-13-01
Mr. ARTHUR 2

CLEAR REGULATORY COMMISSION

Docket No. 50-390 Official Exh. No. Sta #108

In the matter of TVA

Staff IDENTIFIED

Applicant RECEIVED

Intervenor REJECTED

Other WITHDRAWN

DATE 5/8/02 WITHDRAWN

Clerk BHM

DOCKETED
USNRC

2003 MAR 11 PM 3:56

OFFICE OF SECRETARY
REGULATIONS AND
ADJUDICATIONS STAFF

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Jocher's and Fiser's concerns about the Sequoyah chemistry program included seven major areas.

After going to Sequoyah, Jocher discovered that only three of the plant's 19 chemistry technicians were capable of drawing a PASS sample within the federally mandated three hours. Even after extensive training, the number who could successfully perform the test had only risen to seven.

Jocher also questioned the job knowledge of his chemistry technicians. He administered a test which measured their chemistry knowledge; only three technicians passed. Only two of the four shift supervisors received respectable scores. The scores ranged from 34.8% to 89.7%.

As part of his routine evaluation of the program, Jocher evaluated the set points of instruments designed to measure the level of radiation released from reactor containment.

He found that the monitoring device had been incorrectly calibrated because technicians had not taken into account the vacuum conditions present in the radiation detector.

Consequently, slightly more radioactive gas may have been released into the atmosphere than was permitted. Jocher did say that the

small release posed no threat to residents or the environment.

Relevant to this issue, the NRC had issued a memo in 1982 instructing nuclear plant operators specifically to compensate for the vacuum factor. Sequoyah technicians apparently incorrectly assumed it only related to flow rather than volume.

The training program for chemistry technicians at Sequoyah did not receive the proper priority from plant management, according to Jocher. The chemistry training facility was converted into a storage building, and many of the best chemistry instructors were released via a RIF. These poor training conditions caused the poor test scores which Jocher reported and also those on a 1992 INPO evaluation which 90 percent of the technicians failed, including the instructor.

Secondary process instrumentation should have been routinely recalibrated at least every 18 months. It had not been recalibrated since 1984-85, Jocher said.

Up to 40 percent of the chemistry process instruments had been out of service for several years, Jocher reported. These instruments, which monitor various plant systems, were designed in the 1960s and manufactured in the 1970s. Twenty years later they are out of date, and parts can no longer be obtained for many of the systems.

To replace the instruments would cost \$8-\$14 million — money which has been cut from TVA's budget each of the last four years, according to Fiser.

Finally, early in 1992, in response to an NRC Notice of Violation, the NRC required that all plant personnel view a 45-minute training video on chemical traffic control, as required by site standard procedure. On Nov. 3, 1992 TVA reported to the NRC that all its employees have viewed the video.

But in January 1993, Jocher found that 450 employees had still not viewed the video despite reminders. Among those who had failed to see the video despite reporting they had were Plant Manager Robert Beechen, Larry Bryant, head of maintenance, Charles Kent, head of Health Physics and Chemistry, and James Bumstark, head of Operations.

Jocher reported all these problems, not only through internal channels, but also to the NRC and INPO.

After Jocher left the Sequoyah job to return to Corporate Chemistry in 1993, Fiser was offered

his old job back at Sequoyah with a raise, but Joe Bynum, vice president for Nuclear Power Production, allegedly blocked the move.

Despite receiving consistently high marks in his performance reviews, commendations from external auditors and receiving the TVA Nuclear Power of Excellence Award in early 1993, Jocher was marked for termination.

Two independent auditors with NUS Auditors wrote letters of support to Jocher in April 1993. Donald L. Vezal and Merel Bell. Both wrote that they were impressed with Jocher's accomplishments in improving the quality of Sequoyah's chemistry program and with his skill both as a technician and a manager. They did report

conversations with Sequoyah Plant Manager Robert Beechen in which he told them he wanted Jocher transferred off-site and didn't give a reason.

The memo of termination Jocher was offered as an option (The other option was a letter of resignation which Jocher initially chose and then rescinded) marked a stark departure from his previous evaluations:

"This is to inform you that you will be terminated from your position as Manager, Chemistry, Technical Programs, Operations Services, Chamanooga, Tennessee effective May 5, 1993. This action is being taken because your overall performance in that position has not been adequate, particularly in the area of your management skills. These performance issues have been discussed with you on several occasions, but there has not been sufficient improvement."

The "administratively confidential" memo was signed by W. C. McArthur, manager, Technical Programs Operations Services, but Jocher believes it was instigated by Kingsley and Bynum.

In fact, just one day later, McArthur wrote Jocher a glowing letter of recommendation. "During Bill's tenure with the Tennessee Valley Authority he has been a very responsible chemistry manager in both the technical and oversight areas," McArthur wrote.

"I found him to be trustworthy, dependable and professional in his responsibilities. I would personally hire him as a chemistry manager again if the situation occurred.

"Bill's capabilities will most assuredly be missed at TVA."

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