



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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April 22, 1983

ORIGINAL
Certified per M. Sweeney

MEMORANDUM FOR: Steve Scott, Chief, Document Management Branch

FROM: Mary F. Sweeney, OGC *Mary F. Sweeney by j.m.*

SUBJECT: DOCUMENT TO BE INCLUDED IN PUBLIC DOCUMENT ROOM

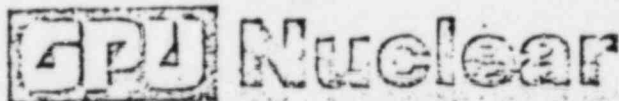
Attached is a copy of a document that needs to be included in Docket No. 50-320 under category G in the Public Document Room. Thank you for your cooperation in placing this document in the PDR.

Attachment:
As stated

Fred From: Bernie Snyder

Inter-Office Memorandum

Date April 4, 1983




Subject Affidavit of Mr. E. H. Gischel

Lake Barrett

Location

Enclosed is a copy of an affidavit and forwarding memorandum I received from Mr. Gischel this morning. The second paragraph of Mr. Gischel's memorandum requests that I pass his "statement on to the appropriate representative" of the NRC.

As discussed with you this morning, GPU Nuclear has undertaken an investigation of concerns and allegations made by Messrs. King and Parks over the last two to three weeks. GPUNC will be analyzing Mr. Gischel's affidavit and will include any new issues in our internal investigation.


R. C. Arnold

slm

Enc.

cc: E. H. Stier, Esq.
E. Blake, Esq.
P. R. Clark
B. K. Kanga
J. J. Barton

Date April 9, 1983

Subject Disclosure of safety concerns at TMI-2 to the NRC

To R. C. Arnold, President GP&W Corp.

As you know I have been deeply distressed by the handling of safety related modifications and tests at unit 2, especially with respect to the polox crane. I am also concerned about harassment and intimidation against those of us who have expressed our professional opinions frankly. After agonizing deeply, I decided that I have a ^{moral} and professional responsibility to act. Therefore I prepared the enclosed affidavit last week during the evenings and signed it on Saturday.

I wish to work within the system, so I am submitting this statement first to you. I believe that an NRC investigation is necessary and request that you pass my statement on to the appropriate representative. As a matter of organizational respect for the chain of command, I wanted to give you the opportunity to bring the charges to the NRC before I take such ^{an} initiative. If necessary however, I will deliver the affidavit to the NRC tomorrow morning.

E. H. Gischel

E. H. GISCHEL
Plant Engineering Director

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AFFIDAVIT

State of Pennsylvania
County of *Allegheny*

EDWIN H. GISCHEL, being duly sworn, deposes and says:

Since June 1981 I have worked as the plant engineering director at the Three Mile Island Unit 2 (TMI-2) nuclear power station for General Public Utilities Nuclear Corporation (GPUN), owners of the facility. As plant engineering director I was the technical arm for the site operations (SO) director Lawrence (Larry) King. SO has the ultimate legal authority and responsibility to review and approve all permanent systems in the plant that are ~~turned over~~ ^{COVERED BY QUALITY CONTROL} to the ~~Nuclear Regulatory Commission (NRC) for final approval~~ ^{NRC}. If something ever goes wrong again at TMI-II, SO is the organization that would be held directly responsible for any deficient designs, procedures, tests or other work that had been accepted. I have a job with serious responsibilities, which I take just as seriously.

My sense of responsibility forces me to speak out through this statement against misconduct at TMI-2 which violates professional standards and could threaten the public health and safety. Anything less would compromise my professional integrity. Many professionals within the nuclear industry will brand me as a traitor for what I am about to report. Let there be no mistake, however. I am in no way anti-nuclear, nor in any way an advocate that nuclear power is unsafe, unnecessary or even an unwise energy alternative. To the contrary, the nuclear industry has provided my livelihood for over 25

File

years -- my entire professional career. My sense of dedication to the industry and the public it serves transcends my loyalty to my employer GPUN.

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If anything, the TMI-2 accident demonstrates the validity of the "defense in-depth" design concept utilized throughout the nuclear industry. There is substantial evidence that the plant was placed in service before it was ready; was operating with important equipment seriously malfunctioning, completely blocked or out of service, some with operator knowledge and apparently some without; operator training and qualifications were suspect; and many improper operator actions occurred from the outset. In spite of all this, however, the plant was able to be shut down and the radiation sufficiently contained so that the surrounding community was not subjected to discernable health effects despite massive plant damage.

The stakes are very serious, however. We must understand what caused the accident, and eliminate the cause. Despite numerous investigations, the true story behind TMI still is not well understood, particularly by many directly involved with it.

For nearly two years I have been involved with a central role to maintain the plant in a safe shutdown condition as the recovery program is developed and implemented. I could not help but develop a perspective as to what is going on here. Based on my observations I believe that the TMI-2 accident was due to a "people" problem that must have begun before the accident and still exists.

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The present mentality at the Island emphasizes shortcuts, expediency and disdain for professional standards. The same thread can be found throughout various reports of the accident, and indeed

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4 throughout various internal plant records and correspondence. The continued existence of this mentality forces me to share my concerns.

The following details, therefore, are presented to illustrate what has been going on inside the TMI-2 program. Of course, my personal knowledge is not all-inclusive. There may be many more examples of the issues I raise. I have attempted to be as honest and factual as possible and have reviewed notes taken at the time of events described. I do not intend to harm any individual. I only wish to bring the activities at TMI-2 under control. My goal is to help guard the health and safety of the general public, as well as to reaffirm the credibility of the nuclear industry's commitment to safely and responsibly manage its own affairs. I do not believe that this goal can be achieved until those responsible for circumventing the system of checks and balances at TMI-2 are completely removed from the picture.

I am well-qualified to assess a breakdown at a nuclear power organization. The nuclear industry has been my life. I am a Navy veteran, serving from 1953-62. In 1958 I joined the nuclear program as a chief machinist mate, where I put two nuclear submarines into commission. From 1962-72 I worked at General Dynamics, the first four years as test director for new nuclear submarines and the next six years as refueling director on submarines returning for overhaul. In 1972 I joined United Engineers and Constructors in Philadelphia for five years, as a member of the nuclear technical staff and head nuclear engineer. In 1977 I went to the Catalytic Corporation as manager of nuclear power engineering. This was my last job before coming to GPUN in June 1981 as plant engineering director. I am also a Registered

Handwritten initials/signature

Soon after my arrival at TMI, I began to see signs that there was a gap between the publicly-stated safety commitment and reality. For instance, when I was hired Unit 2 deputy director John Barton told me that there was "no one at home" in plant engineering and I should shake those S.O.B.'s up. Over the next year I took Mr. Barton at his word and made major personnel and organizational changes. I built an organization for which I now have trust and confidence. The initiatives were met with management hostility rather than support, however. Larry King later told me that in the spring of 1982 Mr. Barton and others had me under investigation for my personnel changes and were going to fire me. My job was saved due to the support of my boss Larry King. He told the personnel director and Mr. Barton that I was shaking up the department as I had been hired to do, and he had confidence in my work.

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During early 1982 I began to see symptoms of widespread sloppiness at Unit 2. On January 8, 1982 there was a contamination release when an employee blew an air hose down a drain. Although initially the incident had been classified as a minor release within the plant, the radiological control department (RADCON) learned there had been a release to the environment. John Barton assigned RADCON director Jim Brazier to investigate. But Brazier bypassed my department and I remained ignorant of the incident.

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IN EARLY FEB
~~On the evening of February 15,~~ 1982 Mr. Barton called and asked

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what I had been doing about the contamination release. I said I hadn't done anything, because no one had told me we had a release. I then asked for details, which Mr. Barton provided. I investigated and soon learned that drain plugs were missing that should have been

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(EML)

but it had been partially peeled off or was missing.

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We pursued the issue further and learned that the condition had existed since before the accident. The drain plugs are supposed to be installed when the plant is built, but they weren't. The tape was removed around the time of the accident but reinstalled afterwards. I had my staff go to the hardware store, buy expandable plugs, and install them. We also ordered the correct plugs and installed them when they arrived. The incident had left me shaken, however. I wondered how many similar oversights were lying dormant.

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Eventually from time and motion studies we learned that the contamination had gone directly into the air flow from one filter cabinet to the next. The drainpipes were not the problem. We reported to the Nuclear Regulatory Commission (NRC) that we had identified the problem and it was under control. The NRC wanted to cite us anyway, however, because management had missed the deficiency for so long. Later that year, with the support of engineering analyses I helped to prepare and a presentation by my assistant Ron Warren while I was out on medical leave, Larry King essentially convinced the NRC not to cite us. He explained to the NRC that an improved system or organizational controls would prevent this type of oversight from recurring.

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The necessity for a new system of controls is illustrated by the dispute over use of the polar crane. The polar crane plays a key safety function in the plant's cleanup, because it lifts heavy loads over critical parts of the plant. The conflict over use of the polar crane already had begun during the spring of 1982. The crane was undergoing numerous modifications. Damaged parts were being replaced by parts that were similar but not identical. This same phenomenon was occurring for electrical components.

For significant modifications it is necessary to first complete an engineering analysis through the Engineering Change Modification (ECM) procedure. To illustrate, in the polar crane you would have to go through the ECM process to make similar but not identical replacements of damaged parts in the load bearing path or load controlling path. The changes could affect functioning of the crane.

I made my position known that I wouldn't accept any shortcuts to the polar crane refurbishment program. Last spring, Mr. Barton told me to stay out of the refurbishment program and that everything would be recertified before it was turned over to me. Although I honored management's directive, I foresaw problems ahead. It would be difficult to doublecheck the certifications later if ECMS and the administrative controls of AP-1043 and AP-1047 were not followed when the work took place.

In June I suffered a stroke from a pinched blood vessel, which kept me out of work until October. The stroke affected my vision and short-term memory circuits. But luckily the memory loss is self-correcting. Most significant, it did not affect my thought processes or motor skills.

The new plant engineering organization functioned smoothly during my absence. But upon my return I realized that management's approach had not changed. Larry King ^{GAVE ME A NEW ASSIGNMENT ON} ~~assigned me to develop a test program to recertify the polar crane.~~ In late November Larry told me of a call he had received from John Barton. Mr. Barton swore about me and wanted to know if I was getting involved again in the polar crane after he had ordered me not to. In response Larry wrote a memorandum that SO would stay away from the polar crane until it was turned over, but at that

all required documentation. I understand

that the memorandum was not well-received. Mr. King told me that management wanted us to stay out of the polar crane issue, which we did.

16 It was difficult to avoid controversy, however, because Bechtel representatives were implementing a routine that I considered dangerous in numerous areas. The misconduct followed two patterns-- (1) changing the safety status of systems or work to say they no longer are safety-related or important to safety; and (2) reinterpreting the GPUN rules to relax the standards.

An example occurred in early December. Bechtel representatives spent over an hour with me to seek my approval for their program of modifications on a nuclear safety-related pipeline. Their paperwork reclassified the pipeline as not important to safety. When I pointed out the error, they responded that they would close a certain valve in order to prevent safety consequences for anything downstream. I responded that is not the way we do business. I said we should not fool ourselves. A safety classification can't be changed merely by closing a valve. First, there must be a Safety Evaluation Report (SER), review and approval by the Plant Operations Review Committee (PORC), and NRC approval. The Bechtel representatives insisted that they had to change the program immediately for pragmatic reasons; the schedule could not wait. I refused and said there was nothing to discuss. They left and did not contact me further. I do not know if the modifications ever were made. I have since learned, however, that Bechtel has made many modifications without timely knowledge, review or prior approval by plant engineering.

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At this point I should digress to discuss the beginnings of what has become a management weapon to harass and retaliate against me. It

18 began last fall after one of my friends and co-workers sought help from the Stress Control Center (SCC) for emotional difficulties and a drinking problem. He was treated by a Dr. Jenkins. The Stress Control Center is a clinic hired by GPU supposedly to help employees in need of mental health counseling, therapy or treatment.

18 My friend mentioned the after-effects of my stroke to Dr. Jenkins and suggested that I speak with Jenkins, who had expressed an interest. I agreed to speak with Dr. Jenkins only after he specified that all of our conversations would be covered by the doctor-patient relationship and be held completely confidential. We then had a series of meetings, and I spoke freely with him. Dr. Jenkins suggested that I take a neuropsychological stress evaluation to help learn the best future treatment. It would cost \$500 and I was hesitant but at the end of October I agreed for him to schedule a December appointment.

18 A few weeks before the evaluation, I saw my personal doctor and mentioned the neuropsychological test. My doctor recommended against taking the test. He said that the after-effects of my stroke were self-healing, so the test is unnecessary. He advised that the test had no positive value; it could not benefit me. On the other hand, it could be used against me. As a result, my wife cancelled the test.

At the end of January Dr. Jenkins called and asked what had happened. After I explained he responded that my doctor is not a trained psychologist. Dr. Jenkins recommended that I reconsider in order to better plan my recovery. I said I'd think it over, but dropped the idea. I did not hear anything more about it until the lid blew off in February over the polar crane.

From conversations with other SO employees and a January 20 memorandum telling SO to stay out of the polar crane refurbishment,

19 I knew the issue was still controversial. On approximately February 9, 50 received a Safety Evaluation Report (SER) on recertifying the polar crane. Larry King gave it to me to review. We only had until 8:30 a.m. the next day to submit our comments. In reviewing the document, I realized that management was trying to pull a fast one. The plan was to have the crane lift 40-ton missile shields without being tested. That flaw in the plan was at the heart of the ensuing controversy.

20 I knew this would be a hot issue. Rather than just telling Larry King and letting him take all the heat -- which I knew he would -- I decided to write my own memorandum commenting on the SER.

21 My comments concluded that the SER was technically unacceptable as presented. I said that the crane had to be tested before making any lifts. Failure could result in reducing the present margin of safety to the public, damage to nuclear safety-related or important-to-safety equipment, or significantly delay the recovery program. I stressed that the tests could be done incrementally.

22 On February 11 there was a meeting which I attended on the polar crane. The entire Polar Crane Task Force (PCTF) was there. My comments were a major discussion topic. I explained that the tests could be done incrementally, but the meeting stalemated. Mr. Bahman Kanga, the Unit 2 director, was called in to resolve the dispute. Kanga asked me to restate my concerns, which I did. He then became upset, pounded on the table, and berated my position for approximately one half hour.

23 My basic position was that we didn't have any alternative but to test the crane. ANSI standards require that the crane be tested to make any heavy lifts. Kanga and management took the position that tests were unnecessary, since the crane has a 500-ton capacity and the

24 been through the worst nuclear accident in history and we didn't know how much damage had been done. Besides, there is nothing in the professional codes that exempts a crane from load testing due to its capacity factor. It was decisive for me that we had to put on new brakes. ANSI standards require that the crane be fully load tested whenever there are new brakes.

25 Another objection was that moving in heavy loads for the tests could result in occupational radiation exposure. I replied that with sufficient time we could find suitable test loads already in the containment and suggested some possibilities. I emphasized that we are 26 legally bound to conduct the tests. If this reason were sufficiently 27 compelling we could all openly sign a statement explaining our reasons and sound technical basis for not following required procedures. This 28 is an acceptable industry practice, so long as when you do not follow the code you see that the substitute is thoroughly evaluated and justified.

I was particularly concerned that we all assume any risks openly and together. But this suggestion was rejected. The idea was for SO to just sign off that the program was acceptable as presented. That approach illustrates a way of doing business at Unit 2. The rules are bent and broken. Problems get swept under the rug, instead of being confronted directly. If nothing goes wrong, it would not matter so much. But if there were an accident, SO would be held responsible because we signed off. We would be thrown to the wolves.

After the meeting, Mr. Kanga asked Larry King and me to stay behind. He again pressured us to sign and approve the SER. We could not approve it as presented.

On Tuesday, February 15, John Barton called Larry King and me

29 to meet with him. Referring to me, Mr. Barton told Larry that he ought to fire that s.o.b. for writing that f---ing memo. He asked words to the effect, "Now that we've got this thing on record, what are we going to do with it?" Larry defended me. He said that I had raised valid concerns which had to be addressed. They weren't the kind of thing you fire a person for. Larry added that we have to get that crane tested before we use it. Larry challenged Mr. Barton to sign off on the polar crane. Barton refused in light of my memorandum. Larry later passed on to me another employee's tip that top management still planned to fire me after the furor settled down.

There were a series of meetings over the next few days with the entire recovery programs staff, Bechtel representatives, and the quality assurance (QA) staff. I was informed that I didn't understand everything that had been done on the crane and wouldn't be so concerned if I knew the whole program. R. L. Freemerman of Recovery Programs said he would write a memorandum explaining to me why the tests were unnecessary.

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31 The memorandum arrived on February 17. It did not say anything that hadn't already been covered in the meetings. In addition to the subjects discussed above, Freemerman said that the crane would be raised a few inches and inspected prior to moving the first missile shield. But that is no substitute for the required load test of 110%-125% of lift weight.

32 Freemerman's memo claimed that the path of the missile shields being moved would avoid going over the exposed reactor. Instead, for example, they would travel over the remaining installed missile shields. That won't wash, either. The load block on the crane could pierce the remaining missile shields. Further, flying pieces could land anywhere



and create damage.

Freemerman's final point was a bald assertion that nothing significant would go wrong even if the missile shields dropped. But he did not offer any calculations to support this subjective evaluation. That was just our point. Such a significant violation of ANSI standards requires a complete engineering analysis. None was ever done.

After reviewing Mr. Freemerman's February 17 memo, I knew that we weren't accomplishing anything. That same day Larry King and I sent a memorandum to J. W. ~~Theising~~ Recovery Programs Director. We stated that the technical concerns in my February 10 comments remained unresolved, but had been overridden by plant management due to programmatic concerns. We concluded that SO had a fundamental disagreement with the Polar Crane Retest Program but did not challenge Mr. ~~Theising~~'s authority to proceed with the program as written.

Larry was forced out of his job about a week after we sent the February 17 memorandum. By contrast, I received the silent treatment. Committees were set up to investigate the polar crane, but I was excluded from membership. I received little communication on anything for around three weeks. I have never received a written response to Larry and my February 17 memorandum.

As the dispute was heating up, top management began to take an intense interest in the after-effects of my stroke. On February 10, Dr. Jenkins sent a certified letter to my home urging me to take the neuropsychological evaluation. He added that he would like me to call his office in two weeks with an answer. I was upset at being pushed but called Dr. Jenkins. During our discussion he revealed that he had broken his pledge of confidentiality and had discussed my case with his supervisor. I told him that I wouldn't have spoken with him at all

(Handwritten initials)

I had known he would violate the pledge. He said he had to discuss all the cases with his supervisor.

Several days later Mr. Barton called me in for a meeting with Mr. Kanga and GPUN President Bob Arnold. Before I could sit down Mr. Arnold asked me why I didn't want to take the psychoneurological evaluation. He said he didn't know the details, but Stress Control wanted me to take the test. Mr. Arnold then proceeded to urge me to take the test again, but added some details about my conditions to emphasize his point. Before I could answer he urged me to obtain the evaluation a third time. This cycle, however, he included many of the intimate details of my conversation with Dr. Jenkins.

Mr. Arnold seemed to realize he had said too much, and stopped abruptly. He said there had been enough discussion and asked if I was going to take the evaluation. I responded that my doctor had told me there was absolutely no need for the evaluation, that I had merely suffered a temporary loss in my memory circuits and should be more concerned with how the results of the examination would be used. Mr. Arnold said that he thought I should take the test. He added that it is very important for my job placement. I said then that they would have to set it up so that I didn't have any choice. They set it up through Dr. Jenkins for April 15. Dr. Jenkins' colleague Dr. Gordon at the University of Pennsylvania hospital was scheduled to administer the evaluation.

My personal doctor later called Dr. Jenkins. My doctor told my wife that Dr. Jenkins was very embarrassed and said the pressure for the evaluation came from "higher up." My doctor insisted that the results be sent directly to me, rather than first to GPUN. Dr. Jenkins

(Handwritten initials)

taining the test results. I found that odd, since originally he had told me results would be available the day of the evaluation.

I believe that the pressure for the stress test at best was an effort to harass and intimidate me, or at worst was retaliation for my dissent by branding me as mentally unfit. The other SO staff personnel who challenged polar crane shortcuts received similar treatment. Larry King, for instance, supposedly was fired for "conflict-of-interest" related to a company he was involved with. I understand that Larry's company, Quiltec, was providing services elsewhere in the nuclear industry. I have worked with and known Larry for nearly two years. We are not "chummy" on a social basis. But from our working relationship I have known Larry as a decent, hardworking, competent, extremely dedicated individual who routinely "moved mountains" to maintain progress in the recovery program. In short, he worked very hard to do things right and get the cleanup moving in a sound, technical way. But management thwarted him at every turn.

I believe that the "investigation" of Larry's firm was due to his support for my memorandum and his own challenges to the polar crane program. It is my understanding that management had known of Quiltec for some time and apparently did not feel any need to take actions against him until he supported my February 10 memorandum and similar challenges from the same time frame. Larry's outside activities were just an excuse to fire him.

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Rick Parks performed a similar role for SO from the program controls perspective as I did from the technical standpoint. Rick was a Senior Operations Engineer and member of the Test Work Group. Rick tried every way possible to make the system work internally, but it

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simply didn't. I knew him as a dedicated, hard worker who was driven to total frustration when he reported clearcut program violations and top management refused to correct the abuses. Indeed, they insisted on perpetuating them.

I have read Mr. Parks' 56-page March 23, 1983 affidavit. I confirm the substantial accuracy of all portions of the affidavit that refer to me, or for which I have personal knowledge.

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I want to emphasize that it was Rick's own initiative to go public with his concerns. ^{interesting - how did he know for certain? Probably right but possibly not full disclosure in Parks' mind} His decision was based on his own frustration, rather than some internal conspiracy. I applaud him, however, for having the courage to break the ice.

On March 23, the day Mr. Parks released his affidavit, there was a major meeting scheduled for 8:30 a.m. to discuss his charges. The meeting was somewhere around a half hour late getting started. Nearly all of the management and senior staff were in attendance, including Messrs. Arnold, Kanga and Barton. They had detailed information about Mr. Parks' allegations. I know that one of the top management people had a copy of the press release that went with the affidavit. I also seem to recall that the affidavit was held in the air with an announcement that it was being studied. Mr. Kanga opened with an announcement that Rick was going public with his charges. Mr. Arnold went over the issues and said he was sure the controversy was just a flash in the pan and would die down quickly. He stated that the investigators wouldn't find anything, and the Ucall Committee wouldn't speak with the witnesses. Mr. Arnold said that Rick Parks would be back tomorrow and we should all be cool and calm.

Mr. Barton stated that Parke should be fired. He added that the "s.o.b." should not be allowed back on the Island. Mr. Kanga re-

sponded that we couldn't do it like that, because Parks had gone to the NRC and was protected by the Atomic Energy Act. That meant we had to be careful. Kanga said we could just transfer Parks or put him on a leave of absence for a month and then get rid of him quietly.

Mr. Arnold stated that when Parks returned we should not give him any documents, and should restrict him from protected areas. Mr. Barton reemphasized that we should not give anything to Parks, should not speak to him and should not let him back on the Island at all.

Mr. Kanga said that we're looking into this but the approach would have to be handled carefully, because Parks had charged harassment and there are laws to protect him.

Mr. Arnold then stated that the Udall Committee would review Parks' affidavit but not invite him to testify. He said that he felt sure it would all be squashed. The meeting ended shortly after, around 10:00 a.m.

After this meeting I was interviewed by Messrs. Griebe and Lowe, a lawyer and engineer who said they were investigating safety concerns either for Mr. Arnold or GPU Chairman of the Board Herman DeCamp. The meeting had been scheduled several weeks before when Mr. Barton told me to appear. They also had talked to Ron Warren and Joe Chwastyk, according to these individuals. I was one of the last scheduled to testify, although I had played a central role in raising the issues under investigation.

I told Griebe and Lowe that I was trying to work within the system and would give it one last chance. For approximately the next hour and 45 minutes I discussed with them substantially all the issues to this point of my statement. I outlined my belief that there had been a blatant disregard for industry rules and standards. I further pro-

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tested that employees were being pressured to engage in misconduct that could backfire if there were an accident and ruin their careers.

I told Messrs. Griebe and Lowe that I probably would be fired for what I had disclosed to them. But someone had to put a stop to what is going on. I told them that "if you don't do it I'll go elsewhere. This accident is still going on after four years and it has to stop. The industry can't take it." The two investigators took notes but have not since contacted me again. I have, however, heard a periodic clicking on my telephone that has not occurred before.

Effective March 24, Mr. Barton replaced Acting SO Director Joe Chwastyk as head of my department. At the same time Mr. Barton remained the Unit 2 deputy director.

On Monday, March 28, Mr. Arnold called a meeting to discuss the New York Times article that came out that day on the recovery program. Mr. Arnold invited those who had problems to raise them "now" at the meeting. He said these people didn't need to go to the press. It appeared like a fishing expedition, however. No one said much.

After reading the New York Times article, my primary concern is with inaccuracies in GPU's public position. For example, in the article Mr. Arnold stated that investigations, regulatory delays and problems with public perception contributed significantly to the setbacks in the Unit 2 cleanup. In my opinion, the items on that list wouldn't be obstructions if top management let us do the job properly.

Mr. Arnold praised the new management structure at the Island as a solution. The primary change within the management structure has been to purge or neutralize those who perform their duties independent

If anything, the new management structure under Mr. Barton's control

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will further stifle dissent and place a rein on the SO staff.

In the article, Mr. Arnold criticized Larry King for not being a "team player." That statement is accurate. More significant, however, Mr. Arnold's characterization indicates the problem at TMI. Under Mr. King's leadership SO strove to be objective and independent in evaluating the various programs covered by our professional and legal responsibilities. The SO director is not supposed to be a "team player." Mr. King was not combative, but he insisted on upholding his responsibilities conscientiously and without compromising the required standards.

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In the article Messrs. Arnold and Kanga stated that violation of state law by trucking out sewage contaminated with radioactive cesium 137 was a legal technicality without safety significance. In my opinion, that perspective is itself a significant safety concern. It cannot help but breed disrespect for legal requirements in general.

Messrs. Arnold and Kanga also stated that the polar crane would be adequately tested. That misses the point, however, if the crane is used before the test to remove 40-ton missile shields from directly over the reactor, the most vulnerable part of the plant. A mid-lift

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failure could cause the missile shield -- as well as the huge lower blocks on the crane, the heavy lifting rigs used, cables and other parts -- to come crashing down on the reactor, piping and who knows what else. The result could be another loss of coolant accident (LOCA) which could threaten the public, and would delay the cleanup for years. Not of the least significance to me, such an accident would ruin the careers of the SO staff who had approved the lifts.

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Also on March 28, I had a letter delivered to Mr. Arnold about the neuropsychological evaluation. I told Mr. Arnold that based on my

doctor's advice I had decided to cancel the evaluation unless he were imposing it as a condition of my employment. If required to take the test, I requested permission to choose my own qualified psychologist to conduct the evaluation. I explained that my understandable concerns about prejudice with Dr. Jenkins and his colleague Dr. Gordon would build stress into the testing environment and could bias the results. I offered to pay for the examination. I emphasized to Mr. Arnold my willingness to cooperate with any conditions of employment but explained that for such a sensitive matter I must have full confidence in the circumstances and objectivity of the program. Finally, I requested that Mr. Arnold contact me by April 3 if the test were in fact mandatory.

Mr. Arnold contacted me the next day. He glossed over whether the evaluation is a condition of my employment. He said he didn't like to think of it in those terms. He shifted the discussion to the circumstances of the test and assured me that Dr. Gordon could pick a substitute for himself in order to satisfy my concerns. He also said GPUN would pay for the evaluation.

I told Mr. Arnold that these offers were unacceptable. I didn't trust Dr. Gordon to pick a replacement any more than to conduct the test. I wanted to select my own psychiatrist for the evaluation.

Mr. Arnold told me that he did not have any problems with someone besides Dr. Gordon conducting the evaluation, but there had to be some assurance that whoever did the job was qualified. I stated that he should state the necessary qualifications standards, and I would seek highly-qualified professional who meets them. I told Mr. Arnold that I would base my selection on professional competence and independence from GPUN. Mr. Arnold said he would get back to me, perhaps by Monday, April 4.

(Handwritten initials)

42 What may disturb me the most is that the controversy over the polar crane is not an isolated case. It illustrates the current approach to business at Unit II. The recovery program is no longer effectively controlled. This is a generic concern. To illustrate, on March 30 three of the people on my staff came in. They were upset because of two more cases they had discovered where Bechtel bypassed the plant engineering modifications control system in an attempt to downgrade safety classifications. Overall, and particularly in the containment, Bechtel crews have been bypassing the modifications control program. We don't know what Bechtel is doing to the plant. I have learned of plans to institutionalize the isolation of SO by removing the modifications control staff entirely from plant engineering. Presumably this is part of the "improved" management structure.

This situation poses a monumental task for the local NRC office in my opinion. The NRC recognizes that it is in the public interest to get the TMI mess cleaned up expediently. But it is easy to lose sight of the most basic objectives. At TMI the NRC has been pushing the utility to upgrade technical documents from "1's" and "2's" to "4's" and "5's," when the government should be holding out for the required "10's."

76 When the NRC caves in it makes it twice as difficult for those of us in GPU who are trying to hold the program to applicable codes and standards. To illustrate, one of the tactics used repeatedly attempts to coerce SO approval of deficient documents was a statement to the effect -- "NRC has already approved this, and is just waiting to sign off until you do." Of course, this puts us in a defensive posture and we are accused of trying to hold up the program. The realistic cause both for delay and resistance to SO control

is mismanagement. SO's comments could be constructive with only minimal delay, if our input were timed properly. SO input is not accepted when materials are being prepared. We are not allowed to get involved until the eleventh hour, when there is insufficient time for review and no time to fix anything significant. In other words, SO is prevented from exercising effective control to see that the job is done properly. At that point, management just wants us to rubberstamp whatever is presented -- violations and all -- and be prepared to accept the blame for anything that goes wrong later.

It was always a delusion to think that the SO staff would accept such a role. We were recruited for the TMI cleanup due to our records and reputations as aggressive, no-nonsense individuals who strictly enforce the rules. With that background, it was unrealistic to expect that we would willingly serve as "window dressing" for a seriously flawed program.

My family and I have discussed this matter and prayed about it often. They support my view for the necessity of this disclosure, knowing full well that it most likely will bring us financial ruin in a short time period.

As a result, preparing this affidavit is not a frivolous effort or an attempt to take a cheap shot at the company for which I work. I cannot silently watch as the levels of protection for the general public are relaxed. That pattern compromises nuclear safety controls. The chances that a minor accident will be a major accident increase as the compromises inevitably accumulate. There can't be compromises with public health and safety. Either a nuclear plant is controlled, or it is not. TMI-Unit 2 is not.

(24)

I have read the preceding 22-page affidavit, and believe it to be true and accurate to the best of my knowledge, and as to those things stated to be on information and belief, I believe them to be true and accurate.

Edwin H. Gischel
EDWIN H. GISCHEL

SUBSCRIBED AND SWORN TO before me
this 2nd day of April, 1983.

W. H. Adams
Notary Public
my Commission expires
Feb-11, 1985

EDWIN B. GIBSON

SUBSCRIBED AND SWORN TO before me

this 2nd day of April, 1983.

Edith A. Harris

Notary Public

my Commission expires

Feb 11, 1985