

AFFIDAVIT OF JACK DOYLE

Q: Please state your name and address for the record.

A: My name is Jack Doyle. My address is P. O. Box 64, Turnpike Station, Shrewsbury, Massachusetts 01545.

Q: Are you the same Jack Doyle who has testified in the operating license hearings for Comanche Peak?

A: Yes, I am.

Q: Are you aware of any instances of intimidation, harassment, or threatening of employees at Comanche Peak?

A: Yes. I myself was intimidated and testified to this in my deposition (later accepted as my testimony) in August 1982 and indicated that this was the reason which led to my resignation.

Q: Are you aware of any instances of employees being discouraged from doing work right to begin with at Comanche Peak?

A: Yes.

Q: In your opinion, have such instances of intimidation, harassment, threatening, or discouragement had a detrimental effect on the quality of work at Comanche Peak?

A: Yes. And I cited many instances of these effects in my testimony (including my deposition/testimony) in the September 1982 and May 1983 hearings and subsequent affidavits, including my affidavit which was attached to CASE's 1/18/83 letter to the Appeal Board in these proceedings wherein I discussed my having been blackballed because I testified at the Comanche Peak hearings in September 1982.

But of more importance is the effect on qualified people who sincerely want to do a good job. Since they will not put up with the environment of threats, they will do as I did: resign. This results in the build-up of a "somewhat knowledgeable" staff who do not have the expertise to determine for themselves if they are in fact being harassed or merely being directed.

Q: Is there a standard method utilized to intimidate nuclear workers?

A: No. The parties responsible for insuring a desired result will react only to the limit necessary to accomplish the end desired. They operate within the scope of the "doctrine of plausible deniability." That is: they do not wish to be associated with the means to achieve the ends they desire.

Q: How does the harassment at Comanche Peak differ from other nuclear sites -- is it more blatant?

A: Perhaps not more blatant, but definitely more crude (for example, several people have been fired). But the intimidation in the nuclear industry is generic and all pervasive. The intimidation has in fact become institutionalized. What occurs on one site is effective for all sites, because the people who work on any given site are all drawn from the same pool that feeds all sites. That is to say, if I arrived at Comanche Peak and was never threatened or harassed directly, but was told to perform contrary to codes, and if after I offered an initial objection was told to do it anyway, there would be no objection by me in the future since the desire of the utility/ Architect-Engineer/contractor, etc., is now established. For example: John

Finneran did in fact hold a meeting pressuring everybody to produce faster to meet the December 1982 deadline for completion of the plant in order to fuel by June of 1983 (which indicates that the vendor certified program was probably an afterthought resulting from the information uncovered during the operating license hearings).

It is an industry-known quantity that to make waves will result in economic suicide. That is one reason why the intimidation which causes the problems at Comanche Peak may have (in some instances) had its origin at another site and the cause of the intimidation at some future site may in reality be instituted at Comanche Peak. All that is required by those wishing to intimidate workers is therefore only a nudge, not a blockbusting declaration.

Q: How can a company threaten economic sanctions?

A: They don't threaten; they just do it. For example, La Cosa Nostra do not threaten a potential victim with a contract; they just issue contracts as required. The company involved in nuclear work, on the other hand, will in some cases fire those who make waves -- as an example to others. And these examples are well noted. But if this is not possible, the company will announce their disappointment with dissidents and witnesses who appear at hearings (such as the Circuit Breaker put out on site) and usually they will couple the dissident actions with potential loss of job or contract. This will usually suffice to affect a dissident's capacity to obtain future employment. Since the protective laws in the nuclear industry only apply to employee/

employer activities, blacklisting is a most effective deterrent to becoming a dissident in an industry where most people (engineers included) are transient.

And if it will cost you a \$100,000 a year job (which is three times the normal rate for engineers in general industry) to be a dissident, particularly when the public and particularly the NRC do not wish to hear of such problems, then one has second thoughts about being a dissident in this, the freest of nations.

Q: Does blacklisting really exist in the nuclear industry?

A: Yes, in spades. For example, take my personal experiences after appearing as a witness in the Comanche Peak hearings and applying for work. I was told by an engineer working for Bechtel: "They don't want you here. They're scared of you." I was also told by a contract engineering firm's personnel recruiter for the Zimmer nuclear site: "They don't determine if you are qualified. We do. The company doesn't even see your resume, only your name. And if you are not a troublemaker or if they have no bad word on you, you are hired." The sales contract manager for another contract engineering firm which is putting engineers into the Fermi site said: "They told me they don't want anyone who knows anything about QA/QC because they will pick the place apart and the company will end up back at square one." And these quotes I can back up if required. And by the way, I was turned down for the job at Fermi for being "unqualified." Yet the job was for field engineering -- running around getting signatures on documents, etc. There was absolutely no actual engineering involved, it was just seeing that everything had a signature and if not, going and getting it.

Beyond this, I have been turned down three times at Seabrook without explanation while "somewhat knowledgeable" engineers have been hired. The effects of this invidious discrimination afforded those who dissent or testify is known to all in the industry. Therefore, the company does not have to write memos or hold meetings to let their personnel know that "You do what we say without question or someone else will."

Q: Don't you think that the hearing process will tend to alleviate the problems of intimidation?

A: No, I do not; to the contrary. Particularly when individuals who come forward to point out the shortcomings in engineering and construction are confronted by the utility and the NRC, and told that their arguments are without merit since at the time of the licensing hearings all of the design and construction is in a preliminary stage, according to the Applicants, and therefore regardless of conditions will be rectified at some point after licensing. Nobody pays any attention to the fact that many features of design and construction are wrong now, due to the introduction of this new concept "preliminary construction." Therefore, it is in the interest of those who desire to continue to earn wages in excess of the national average (or any wages at all) to go along and get along.

A lot of people have no desire to get up there in the hearings to begin with. In the first place, you're going to get your name in the paper. Regardless of if you say the sky is blue, you're going to get a write-up. Everybody knows that once you start, you've got to be willing to go all out. You can see that from the personal attacks, like being called "non-expert," etc.; they personally attack the witness. And they throw evasive maneuvers

which you must counter; to bring to light a minor point literally takes enormous effort.

There are some forces whom you are facing who are associated with 40 or 50 nuclear power plants who can and will bring your name up on different sites. All of these factors are not conducive to people coming forward.

The Board is probably aware that in most (if not all) of the licensing hearings to date there have been no substantial challenges by engineering personnel other than in the Comanche Peak hearings. And this is a direct result of the intimidating nature of the overall licensing process, particularly since you are going up against not only the utility but most probably the NRC itself. I know this as a fact, because I know many engineers who are aware of similar problems on other sites but who will not get involved. It's just not worth it to most people. For that matter, I myself did not come forward in this case initially. I was subpoenaed and therefore had no choice.

Q: Are there specific problems in construction or design at Comanche Peak which you believe currently exist (which have not, as far as you know, been put into the process to be corrected) to which you could take the Licensing Board and show them?

A: Even those items which I testified to in August of 1982 I couldn't find today due to the complexity and congestion of the components which make up the plant. You've got to understand that there are some 40,000 supports in that plant. I only saw a few per cent, maybe 5%. And after a year and a half away from the plant, there is no way that I could go in today and find the ones that I've been testifying about for the past year and a half. If

someone had asked me to show them the day after I quit, I could have perhaps shown them 90-95%, but today I'd be lucky to be able to find 1% or 2%.

That's why the utility and the architect/engineer have attempted to devise the method of bringing problems to the attention of the Board for an onsite inspection by prefiling precise items and locations, when they know that people even onsite who are given elevations and azimuths experience difficulty in locating supports. Even though they have access to all the information and other personnel to assist them in locating the supports, there are many times when several attempts must be made before the location is achieved.

Q: Why should the Licensing Board be concerned about such intimidation, harassment, threatening or discouragement of employees, or such deficiencies as you may tell them about or show them at Comanche Peak? What's the bottom line as far as the safety of the plant is concerned?

A: Since the reactor at full operation contains something like 16 billion curies per unit of radioactive nuclides, it would seem to me that it would be in the interest of the public health and safety to ensure that these poisons be contained. To do this, the plant must be constructed to the state of the art, not to the whims of individuals who have allowed "somewhat knowledgeable" people to commit gross violations of engineering fundamentals and standard codes.

Q: Do you want to testify regarding these matters in the operating license hearings for Comanche Peak?

A: Most assuredly.

I have read the foregoing affidavit, which was prepared under my personal direction, and it is true and correct to the best of my knowledge and belief.

Jack J. Doyle
(Signed)
Date: November 19 1983

STATE OF Massachusetts
COUNTY OF Worcester

On this, the 19th day of November, 1983, personally appeared Jack J. Doyle, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein expressed.

Subscribed and sworn before me on the 19th day of November, 1983.

William A. Porter
Notary Public in and for the
State of Massachusetts

My Commission Expires: MY COMMISSION EXPIRES JANUARY 9, 1987