



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

May 14, 1971

Note

NOTE TO H. L. PRICE

ALLEGATIONS BY MR. R. J. ROWEN, JR., RELATING TO THE OPERATION
OF PACIFIC GAS AND ELECTRIC COMPANY'S HUMBOLDT BAY REACTOR

This is to inform you that Compliance is conducting an investigation into allegations received by letter from Mr. R. J. Rowen, Jr., a former employee at the Humboldt Bay reactor facility. A copy of his letter and a memorandum from our Region V office on a meeting with the District Attorney of Humboldt County, California, are attached for your information.

A Compliance inspector and an investigator are meeting with Mr. Rowen, May 12 and 13, 1971. Preliminary information indicates that Mr. Rowen has a number of specific allegations that relate primarily to radiation protection, effluent releases and the attitude of the Company towards safety.

I plan to prepare a report to the Commission when and if our findings indicate a potential problem. I have, however, informed Joe Fouchard, Division of Public Information, of this matter.

Dave

Lawrence D. Low

Enclosures:

1. Ltr. Rowen to Director
Division of Licensing and
Regulation dtd 4/30/71
2. Memo Book to O'Reilly
dtd 5/6/71

3. Ltr. Rowen to Director, CO:V
dtd 9/14/70
4. Ltr. Smith to Rowen dtd 9/16/70
5. Ltr. Rowen to Director
Division of Licensing and
Regulation dtd 9/14/70
6. Ltr. Low to Rowen dtd 9/29/70

cc w/enclosures:

C. K. Beck, DR
M. M. Mann, DR
C. L. Henderson, DR
S. H. Hanauer, DR
P. A. Morris, DRL
E. G. Case, DRS
E. R. Price, SLR

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*Please keep me
currently informed*

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Date 5/14/71
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5/19*

In DR 3364

April 30, 1971

Director
Division of Licensing and Regulation
USAEC
Washington 25, D.C. 20545

Dear Sir:

During the course of my employment with the Pacific Gas and Electric Company, and while I was employed as a Nuclear Control Technician, I experienced the inadequacies of the law and procedures pertaining to the control and regulation of nuclear power plants.

It is this matter I desire to bring to your attention. And at the same time, this letter may be considered the initial groundwork of my going on public record concerning these inadequacies.

To begin please allow me to quote from the following:

Decision of the Referee
California Unemployment Insurance Appeals Board
Case Number SF - 1319

Robert J. Rowen, Jr. vs Pacific Gas and Electric Company

STATEMENTS OF FACTS

....."A preponderance of evidence indicate that during the last year or two of the claimant's employment he was involved in many disputes with higher management over his reports of safety violations. The following are cited as examples:

1. The routine work permit under which a group of employees were working in the summer of 1967 permitted exposure of only five to 50 mr's but frequently the exposure was in the area of 2500 mr's.
2. A supervisor ordered a technician to take smears of material to be shipped from the nuclear plant at the top and bottom of the containers but not in the center. This would have the effect of minimizing the radiation count. After the supervisor had been informed the count exceeded the level permitted for such shipments, he asked the claimant to sign a previously prepared shipping document which indicated the radiation level was within tolerable limits. When the claimant refused, he (the supervisor) corrected the shipping

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document to show the correct figure and then ordered the shipment processed, contrary to the governmental regulation involved. The claimant accurately reported the entire incident in the daily log he was required to keep as part of his duty. He was severely reprimanded by Mr. Weeks for having done so on the ground this was not a "proper" use of the log, pointing out that the Atomic Energy Commission inspectors had access to the log.

3. On one occasion VIP's were to be conducted through part of the facility where they might be exposed to radiation, and the plans of the claimant's supervisor did not call for monitoring these persons as they left the danger area to determine the rate of exposure, if any. At the claimant's insistence this was corrected.

4. Men were permitted to work over the open core of a nuclear reactor without wearing safety harness to prevent their falling down into the core.

5. A short time prior to the claimant's discharge, he asked Mr. Weeks for permission to speak to the Atomic Energy Commission inspector concerning the violation noted immediately above, and other conditions the claimant believed unsafe. He was refused permission to make his report to the inspector.

"Witnesses for the employer testified that the above and other alleged safety violations reported by the claimant were of a minor nature and did not involve real hazard to workers or the community. Mr. Weeks confirmed the danger involved in working over an open "core" without safety harness but indicated the company was working on the problem, and, in addition, some of the workers believed the harness itself would be a safety hazard."

Later in the Referee's Decision he stated the following:

"In the opinion of the referee the principal cause of the claimant's discharge was his extreme safety consciousness. His efforts in this direction were to some extent a reproof of the more sanguinary attitude of certain of his supervisors. His attempts to bring these matters to the attention of the Atomic Energy Commission and to the attention of fellow employees were also greatly resented."

In conclusion the referee stated the following:

"The referee concludes the claimant was discharged for reasons other than misconduct connected with his most recent work, within the meaning of sections 1256 and 1030 of the code."

It is noteworthy that the Pacific Gas and Electric Company had its San Francisco attorney representing the company's interest in this matter and that the company had the right to appeal this decision and elected not to do so.

My purpose for presenting these particular facts is to focus your attention on the following problems: (1) I was ordered not to log, for the AEC's inspection, information concerning violations of radiation protection procedures; (2) I was refused permission to talk about these violations with the AEC Compliance Inspector who was in the plant on a routine inspection; (3) Plant management advised me that it was inadvisable for me to go to the AEC about violations concerning radiation protection safety and at the same time management stated that I was placing myself in "serious jeopardy" if I elected to do so; and (4) On or about May 21, 1970, Mr. Burt Jones and Mr. Robert Taylor, both of whom are agents of the Pacific Gas and Electric Company made arrangements with Police Chief Emahiser of the Eureka Police Department to falsify a police record in which the company designed accusatory statements charging four of its seven nuclear control technicians of being members of a group who was participating in, or had the propensity to participate in, various unlawful acts directed at damaging and disrupting the Company's property and services.

In the matter of an arbitration between I.B.E.W., Local 1245, and the Pacific Gas and Electric Company involving arbitration case number 35 dated April 2, 1971, the Arbitrator stated the following in his decision under the section entitled Reasons for Discharge:

"The Company raised the issue that there was a common plan and design on the part of Williams (a nuclear control technician) and Robert Rowen and others who continually raised questions concerning the adequacy and efficacy of the Company's safety program."

In a letter sent to the California Department of Human Resources Development by the Pacific Gas and Electric Company, the following statement was made:

"As a Control Technician, Mr. Rowen was required to carry out specific assignments following well defined procedures, in which he had been instructed, under the supervision of an engineer who is an expert in the field of radiation safety. It was not the claimant's responsibility to check on the safety procedures of the Company. He did on numerous occasions make allegations and protest that the Company's actions were unsafe and did not meet Federal requirements. However, he was never able to show how the "unsafe" Company actions failed to meet Federal requirements. The operation of the Humboldt Bay Power Plant, where the claimant was employed, has been inspected by the Atomic Energy Commission at least three to four times a year since the nuclear unit went into operation in 1963, and as a result of these thorough inspections, the Commission has been favorably impressed with our radiation safety program."

It is generally true that the Company looks good on paper as to how well the Humboldt Bay Power Plant operates. It is safe, efficient, and economical or so it seems. I worked in that plant for six years and during the period witnessed events which never became known to the AEC or the public. I also had occasion to meet people from other nuclear facilities and learned from them their philosophies and how their facilities operated.

In the main the responsibility of radiation protection is left to the charge of private industrial management, who I am convinced, is more concerned with the efficient and profitable operation of their plants. In this respect, many plants are not as safe as they are required to be by law. The AEC Compliance Inspectors usually give more than adequate notice before their arriving on the plant's property for its inspection. As part of my job duties, and on many occasions, I would clear up a situation which would clearly result in a citation only because an AEC inspector was coming to inspect the plant. Employees were given directions, usually implicitly but sometimes explicitly, not to talk with AEC inspectors. Notwithstanding the aforementioned, even if employees were given the opportunity to talk with AEC inspectors, the majority of them would fear the reprisals taken later by management. And for these very reasons, employees will not write to the AEC about problems they may be concerned. How efficient and economical a nuclear power plant seems to be on paper is also a question.

For on many occasions I witnessed large sums of labor and materials charged through the accounting process to the conventional fossil fuel plants. However, this is not the main point of this letter.

Returning to the problem of control and regulation of unclear power plants, and in particular the Humboldt Bay Power Plant, I believe an investigation is in store. I believe further that if an investigation of the Humboldt Bay Power Plant was initiated, certain irregularities would be revealed throughout the entire nuclear industry.

You may ask why I have not come forth before now with this information. The answer is simple. I am no longer under the influences and pressure of coercion and threats, and it has become my conviction that these problems which I have briefly mentioned and many more be made publicly known.

The Pacific Gas and Electric Company may undoubtedly accuse me of being a disgruntled ex-employee; however, be that as it may, I feel confident that as I lay out the facts they will withstand the tests of truth.

If you are interested in the information I have and desire to make an inquiry into the nature of these more serious problem, please feel free to contact me. Hopefully, I have been able to present to you rather briefly the severity of the Company's actions earlier mentioned, and more to your particular interest I assume, the underlying reasons why the Pacific Gas and Electric Company chose to exercise these actions.

Sincerely,

Robert J. Rowen Jr.
Robert J Rowen, Jr

2504 "O" Street

Eureka, California 95504