

GOVERNMENT ACCOUNTABILITY PROJECT

Institute for Policy Studies
1901 Que Street, N.W., Washington, D.C. 20009

(202) 234-9382

August 19, 1983

Mr. Richard DeYoung
Executive Director
Office of the Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. DeYoung:

On October 6, 1982 and again on March 29, 1983, the Government Accountability Project (GAP) of the Institute for Policy Studies (IPS) inquired about the use of a specific form by the Bechtel Corporation. This form (Bechtel 3002) is used to inform its employers of an agreement that Bechtel requires its employees to sign. Our questions concerned the use of this form to keep current or former Bechtel employees from sharing important information about construction problems on nuclear plant sites with the NRC, the press, or the public.

This matter was allegedly addressed in Region III Inspection Report 83-10, date June 30, 1983. After a review of 83-10 by myself, our Legal Director and Counsel, it is clear that the efforts by Region III are inadequate to address the problem. The problem of Bechtel workers being intimidated by a contractual agreement to not divulge information outside the Bechtel family cannot be dismissed by simply asking eleven unidentified Bechtel employers on the Midland site two questions:

"(A) if they were aware of what the intent of form 3002 was; basic answer, a standard company form to afford protection on secrets and patents; (B) if they thought this form prevented them from talking to the NRC; the answer was no. The inspectors could find no evidence that this form had ever been used as a basis for firing anyone."

To illustrate, just last week a Bechtel employee who knew of a serious safety problem at Midland confided to us that s/he was unwilling to come forward to the NRC, GAP, or anyone else after s/he received a registered copy of the agreement from Bechtel as a reminder to keep quiet.

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Date 9-1-83
Time 11:00

Given the large percentage of nuclear work done by Bechtel employees in this country GAP believes that the NRC's office of Investigations and Office of the General Counsel should conduct an investigation and legal review, respectively, of the Bechtel non-disclosure forms used at the initiation and termination of employment for conflict with Section 210 of the Energy Reorganization Act (42 U.S.C. 5851).

Specifically, GAP requests that the NRC inform the Bechtel Corporation of our concerns and the consideration of a clause in the Bechtel form informing workers of the contents of Section 210.

For your review I have included the relevant documentation to give an overview of the problem. We will be glad to provide you with the names and locations of Bechtel employees (current and former) who disagree with Region Three's assessment that Bechtel 3002 is not a problem.

I look forward to your response.

Sincerely,



Billie Pirner Garde
Citizens Clinic Director

wgw
Attachments

~~SECRET~~
 @ GAP file

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