



DEC 16 1983

MEMORANDUM TO: Region III Files (Perry 1 and 2)

FROM: M. L. Gildner, Perry Senior Resident Inspector (Construction)

SUBJECT: ALLEGATION FROM A TERMINATED WELDING INSPECTOR TRAINEE

On Monday October 24, 1983, I was contacted at the Perry Resident Inspector Office by a Mr. Phillip G. Hendrickson. Mr. Hendrickson stated that he had been a welding inspector in-training for L. K. Constock (LKC). He had been employed with LKC for approximately three weeks (actual dates were September 27, 1983 through October 20, 1983) and had recently been terminated.

Mr. Hendrickson said that while he was in the field with a certified welding inspector getting on-the-job training he had asked a question concerning the lack of material traceability numbers on electrical hangers. He stated that the inspector told him not to worry about it-NRC had looked at it and said it was acceptable. He stated that he asked a similar question during a classroom training session and the instructor answered with a statement to the effect of "Do you know what the traceability requirements for safety-Class II are?" He further stated that he then asked to talk to the LKC QC Manager, Mr. Dick Bower, and addressed his question to him. He stated that he was told that traceability numbers were not required and had been looked at by the NRC. Mr. Hendrickson then asked to talk to the NRC Resident Inspector. I was in the Regional Office and unavailable, so Mr. Bower asked if Mr. Hendrickson would like to talk to a Perry Project/C.E.I. representative. Mr. Jim Kerr, Unit Supervisor, CQS came over and talked to him and presented essentially the same explanation of the material traceability requirements. Mr. Hendrickson was then terminated for being "unable to adopt to LKC's program."

I asked Mr. Hendrickson about his background. He stated he had approximately seven (7) years experience, mostly with piping and had come from WPPSS/Hanford, Washington, where there had been numerous material traceability problems. I then explained the material traceability requirements for electrical hangers at the Perry facility and essentially supported the previous explanations he had received.

Mr. Hendrickson stated that he felt he had been intimidated by the way his questions were treated. He also stated that he felt he had been terminated for requesting to talk with the NRC. I advised him to contact the Department of Labor or the Federal Labor Relations Board. I informed Mr. Hendrickson that D.O.L. had ruled on an intimidation case at the Marble Hill plant and I would get him the particulars. I made arrangements for Mr. Hendrickson to call my office on Thursday October 27, 1983, and I would tell him of my preliminary investigations into his charges.

2

On Tuesday October 25, 1983, the LRC QC Manager, Mr. Bower, came to my site office voluntarily and discussed with me the LRC point of view relating to the recent termination of a Mr. Phillip Hendrickson and the resignation of a Mr. Steve Balazs. A copy of the termination papers for Mr. Hendrickson was given to me and is attached to this file. Mr. Bower essentially corroborated Mr. Hendrickson's story relating to his material traceability concerns. Mr. Bower indicated that Mr. Hendrickson was terminated due to his continued refusal to accept the answers to his question and a further review of his work history with previous employers.

On Thursday October 27, 1983, Mr. Hendrickson called my office once again. I informed him that I had heard LRC's "side of the story." I reconfirmed my answer for his material traceability concern and said that my major area of concern was the timeliness of his termination after requesting to talk with the NRC. I asked Mr. Hendrickson about his contacting D.O.L. He stated that they had informed him that they did not have resources to look into this type of case. I told him to recontact D.O.L. and reference D.O.L. Case 83-ERA-5 concerning a Mr. Melbert J. Landers at the Marble Hill Station. Mr. Hendrickson relayed to me an additional incident which occurred while he was in-training. He stated that LRC Corporate QA Manager, Mr. Bob Marino, told a group of training inspectors that "If I tell you something is black and white and you see it as orange, then it is black and white." He stated that most of the events he had described could be corroborated by another inspector in-training, a Mr. Bill Gauntly.

I thanked Mr. Hendrickson for his information and told him that the intimidation practices of LRC would be referred for Regional followup along with some other similar concerns (namely those identified by the Construction Appraisal Team Report 50-440/83-31; 50-441/83-30). I informed him that it might be some time before the Regional investigation may occur due to backlog and higher priorities and asked him for a phone number of a friend or relative who should be aware of his whereabouts so that the investigators could get in contact with him if they needed. He stated that he would get in contact with me later with a contact phone number.

Mr. Hendrickson contacted the Cleveland Plain Dealer Newspaper and they ran a story on his situation on Saturday, November 19, 1983. On the day prior to the story appearing, the reporter, Mr. James Lawless, called my office and relayed what Mr. Hendrickson had told him. As Mr. Hendrickson's identity had been divulged by him, I confirmed that Mr. Hendrickson had talked with myself and that the NRC would be looking into the allegations.

On Wednesday, November 23, 1983, the licensee informed my office that based on the newspaper article of November 19, 1983, they were inviting Mr. Hendrickson to discuss with C.E.I. Management his concerns in detail. I stated that I had no objections to the interview.

DEC 16 1983

On Wednesday November 30, 1983, Mr. Hendrickson phoned my office to tell us that he was returning to Washington State and give us a contact phone number through which he could be reached/ [redacted] (mother-in-law). Mr. Charles Weil of the Region 111 Office was present and conducted a brief phone interview with Mr. Hendrickson. His interview is documented in a separate memo to file. Mr. Hendrickson mentioned that he had talked to a Mr. Tom Devine of G.A.P.

I have done no further investigation into the personnel practices of L. K. Comstock Engineering Co. and recommend that these concerns be addressed with the Regional followup to the CAI Report concerns in the area of QC inspector effectiveness.

*M. L. Gildner*

M. L. Gildner  
Senior Resident Inspector

cc: C. Weil  
E. Pavlik

# sought NRC advice

By James Lawless

A quality control inspector at the \$5.2 billion Perry nuclear power plant said yesterday he was fired after asking permission to express his concerns about plant construction to the Nuclear Regulatory Commission.

Phillip C. Hendrickson 25, of Palmyra, Pa., said he was fired Oct. 26 by L.K. Comstock Co., the electrical contractor at Perry, less than one month after Comstock fired him and his family 2,500 miles from Grandview, Wash.

Hendrickson, who has also years' experience in his field, said he was hired Sept. 27 to be a Level 11 inspector and was in a training program when he was fired.

He said he had questioned his supervisor about records on steel at Perry, and the supervisor said the Nuclear Regulatory Commission had approved the steel. When he raised questions a second time, Hendrickson said another supervisor pointed his finger at him and acted disgusted with him.

"I went to Don Bower, the on-site quality control manager, and asked permission to go to the NRC," Hendrickson said. "He told me the NRC representative was on vacation and about 15 minutes later I was escorted off site."

"I was asking questions so I could understand the job, so I could do it right. Bower told me I was terminated for incompatibility," he said.

Max L. Gildner, the NRC resident inspector, said the complaint has been forwarded to the NRC regional office for investigation.

"I don't have any heartburn about the materials (steel) records, but I am concerned about the timeliness of his dismissal when he asked to talk to NRC personnel," he said.

"The personnel practices within L.K. Comstock Co. — you got a company that treats people like machines, like a tool," Gildner said. "They are not real personnel conscious."

He said NRC is already investigating similar personnel problems raised by other Comstock employees. An NRC report released last week said it found no harassment or intimidation at Perry.

A Comstock official in Pittsburgh refused to answer questions about Hendrickson's firing and said all questions must be submitted in writing.

Comstock has been involved in

several previous problems at Perry, including a shutdown of the plant because it violated proper procedures, and a flap when it refused to allow workers to wear the American flag on their hard hats.

Glen Helmer, a spokesman for Cleveland Electric Illuminating Co., which is building the plant, said CEI would investigate the allegation.

Hendrickson said he felt verbally intimidated by Comstock supervisors, particularly by Bob Marino, a Pittsburgh Comstock official, during one training session.

According to Hendrickson, Marino said, "If I tell you something is black and white and you see orange, you better expect to be black and white."

He said morale among Comstock quality control inspectors

at Perry was poor. "Of the 30 inspectors (he knew), only one seemed partially happy," he said. "That is because they are not treated like people, but like tools."

Hendrickson said he does not know what he will do now. He and his wife, Michelle, have three young children, including a son, Jacob, 7, who has a brain disease and is institutionalized in Washington.

He said Comstock offered him no assistance in trying to get back to Washington, or separation pay.

"The only reason we have food in the house is because of the Mormon Church," Hendrickson said. "I don't have a dollar in my pocket. I am going to try to sell all of our things so we can get back to Washington. My wife is a hell of a woman."

Found Perry nuclear power plant inspector Phillip C. Hendrickson with his wife, Michelle, and two of their three children.



PHOTOGRAPH BY GARY...

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