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Office of Investigations

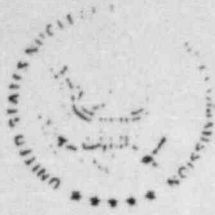
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DATE: August 14, 1984



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 OFFICE OF INVESTIGATIONS FIELD OFFICE REGION IV
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 ARLINGTON, TEXAS 76011

REPORT OF INVESTIGATION

Title:
 COMANCHE PEAK STEAM ELECTRIC STATION:
 ALLEGED INTIMIDATION OF BROWN & ROOT, INC.
 STRUCTURAL WELDING CREWS

Case Number: 4-84-012
 Date of Report: 8/14/84
 Control Office:
 OIFO:RIV
 Status:
 CLOSED

Licensee/Vendor/Other:
 Texas Utilities Generating Company

Supplemental Information:
 OIFO:RIV Report
 of Investigation
 Number 4-84-006

Socket No. 50-445/446

Basis of Investigation:

During a related investigation conducted by the Region IV Office of Investigations Field Office (4-84-006), a former Brown & Root ironworker at the Comanche Peak Steam Electric Station near Glen Rose, Texas, was interviewed regarding his knowledge of intimidation and harassment. The former employee alleged that in December 1981, a Brown & Root ironworker superintendent ordered his subordinates, under threat of termination, to perform work which might have adversely affected other Quality work being performed at the same location. The former employee also alleged that sometime in the winter of 1981 this same ironworker superintendent threatened to terminate subordinates who did not meet production quotas he arbitrarily set, and that deficient work resulted.

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SYNOPSIS

On August 29, 1983, during a related NRC investigation (4-84-006), a former Brown & Root, Inc. (Brown & Root) ironworker at the Comanche Peak Steam Electric Station (CPSES) alleged that a Brown & Root ironworker superintendent regularly threatened and intimidated his subordinates and had, on two occasions in the winter of 1981, instructed employees to perform work which resulted or could have resulted, in substandard work. The alleged testified that in December 1981, this superintendent specifically ordered, under threat of termination, crews under his supervision to arrange for concrete to be chipped in a room where welding was being performed on a safety system by a pipe crew. The alleged related that the superintendent's improper order and threat were made after he (the alleged) had explained to the superintendent the potential adverse affects of dust on the welding in progress. The alleged stated that the superintendent's orders were obeyed and the concrete was chipped until a quality control (QC) inspector stopped the concrete chipping.

The alleged also purported that during a production meeting in the winter of 1981, this same ironworker superintendent set a daily quota of 200 welding rods for each welder on his crew and threatened to terminate employees not meeting his production demands. The alleged said much of the welding performed by the crews subsequent to this quota being established was rejected by QC and balance of plant (BOP) inspectors, and required rework.

Fifteen present and former Brown & Root employees who were believed to have knowledge of these allegations were interviewed. Regarding the concrete chipping incident, two of the fifteen interviewees furnished pertinent information. One ironworker recalled having heard the alleged explain the dust problem to the superintendent and the superintendent's orders to have the concrete chipped anyway. Although this ironworker did not hear the superintendent threaten to terminate anyone, he allowed that the superintendent normally discussed differences with employees in private. A pipe welder performing welding in the room on the day of the chipping incident testified that he complained about the concrete chipping to the QC inspector. The pipe welder said the QC inspector made him stop his welding until the superintendent's crew had stopped the concrete chipping and the dust had settled.

The QC inspector who was alleged to have stopped the welding and concrete chipping, said he did not recall the incident although he may have been involved. Four other ironworkers, two ironworker foremen, a pipefitter, two pipe foremen, a pipe general foreman, and [REDACTED] all said they were either not present or did not recall the concrete chipping incident. No information was developed to indicate that this incident resulted in deficient welds.

The ironworker superintendent who was alleged to have threatened the alleged with termination if he did not follow his instructions regarding the concrete chipping, testified that he neither recalled the incident nor recalled threatening the alleged during such an incident.

Regarding the second allegation, the same fifteen present and former Brown & Root employees were interviewed regarding the superintendent's statements during a production meeting. Eight of these provided pertinent information. Four of the five ironworkers interviewed said they attended the meeting. Two of these four ironworkers testified that the ironworker superintendent told the welders he expected them to use 200 rods a day, or they would be terminated. The other two ironworkers in attendance testified they did not recall the superintendent setting any quota or threatening to fire anyone. Two Brown & Root ironworker foremen were interviewed. One foreman said he attended the meeting and heard the superintendent threaten to terminate welders who did not meet his expectations, but said he did not recall the superintendent setting a quota. The other ironworker foreman said he was not present at the meeting although he later heard about the superintendent's quota of 200 rods a day from other employees. [REDACTED] were interviewed. [REDACTED]

[REDACTED] which was the area the superintendent's crews were welding during the period in question.

[REDACTED] talk among the superintendent's crew members about the 200 rod a day quota. [REDACTED] rejected a large number of welds on the switch gear subsequent to the meeting, and it was his opinion that much of the rework was necessitated by the superintendent's pressure for production. [REDACTED] was not aware of the superintendent's production meeting, but said he recalled the large number of

welds the [REDACTED] had rejected on the switch gear. The QC inspector (supra) and the five pipe crew employees (supra) said they were unaware of the ironworker superintendent's production meeting.

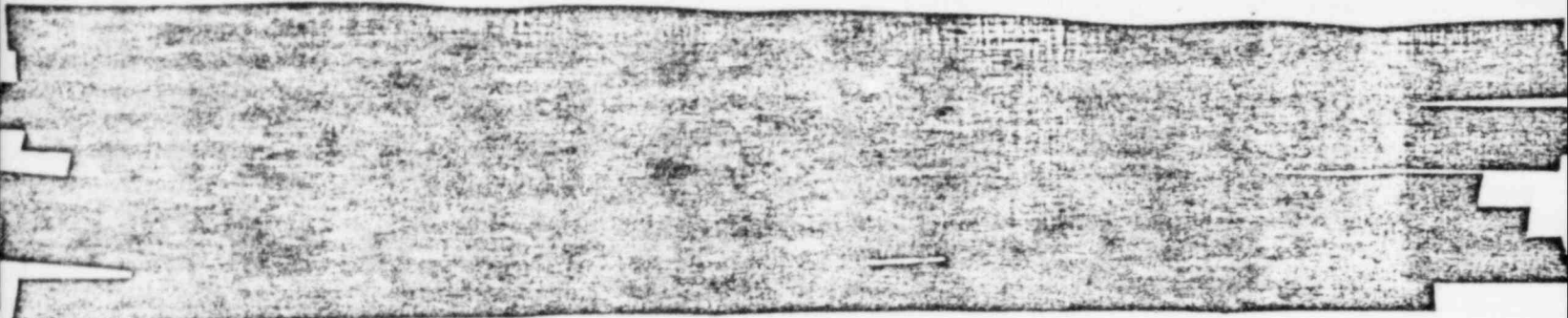
The ironworker superintendent who was alleged to have set the 200 rod a day quota and reportedly threatened to terminate those employees not meeting the quota, denied setting any quota for the welders. The superintendent said he had identified two welders during the meeting who had used in excess of 200 rods on a particular day as examples of good production. The superintendent said he told the crew members that low producers would have to increase production or he (the superintendent) would have to take "corrective action." The superintendent explained that by "corrective action," he meant termination.

The fifteen interviewees were questioned regarding their knowledge of the ironworker superintendent's record and reputation regarding the threatening or termination of employees. Seven ironworkers who worked under the superintendent were interviewed. Four ironworkers, including two foremen, said they had personal knowledge that this superintendent regularly threatened employees with termination and had a reputation as an intimidator. The other three ironworkers denied knowledge of the superintendent ever threatening anyone's job. Eight pipe, QC, and BOP employees were interviewed. Three said the superintendent had a reputation on site as an intimidator, and five said they were not aware of the superintendent's reputation. With the exception of the reported increase in deficient welds which required rework, no information was surfaced to indicate that the alleged acts of harassment and intimidation adversely affected the ability of personnel to properly perform their duties.

DETAILS

INVESTIGATIVE FINDINGS REGARDING THE ALLEGATION OF INTIMIDATION BY THREAT OF TERMINATION TO CHIP CONCRETE WHICH MAY HAVE ADVERSELY AFFECTED WORK ON ANOTHER SAFETY SYSTEM


On August 29, 1983, Stanley MILES, a former Brown & Root rigger and ironworker at the Comanche Peak Steam Electric Station (CPSES), alleged in a signed, sworn statement (Exhibit 1) obtained during a related investigation that Dale BULLARD, a Brown & Root ironworker superintendent, had, in December 1981, ordered MILES, under threat of termination, to have concrete chipped in a room where welding was being performed on a safety system by a pipe crew. MILES stated that his crew was installing pipe whip restraints in the south pop-off valve room in Unit 1, and that BULLARD had instructed his crew to chip concrete in the same room. MILES said he talked to a pipefitter named Murray (efforts to locate Murray LEA were unsuccessful) and a welder named Ricky (Rick KEY) who said they were going to weld in the room. MILES said he told a co-worker to requisition welding rods and perform some welding rather than chip the concrete. MILES explained that chipping concrete would create dust which could adversely affect the welding. MILES said that BULLARD and his foreman, Steve DUNN, came to the valve room and BULLARD asked him why they were not chipping the concrete. MILES said he explained to BULLARD about the effect of the dust on the welding being performed by the pipe crew. MILES said BULLARD ordered him to chip the concrete or be terminated. MILES said he began chipping the concrete and subsequently a QC superintendent (subsequently identified as J. T. GOODE) stopped the chipping. MILES recalled that BULLARD "got in trouble" when Murray and Ricky told the QC superintendent about BULLARD's orders to his crew to chip concrete while welding was being performed.



On March 8, 1984, Rick KEY, a former Brown & Root pipe welder at the CPSES, provided the NRC with a signed, sworn statement (Exhibit 4). KEY said he recalled the incident involving the ironworker crew chipping concrete. KEY said he complained to J. T. GOODE, a QC inspector, about the dust created by the ironworkers chipping the concrete. KEY said that GOODE told him to suspend his welding until the chipping was stopped and the dust settled. KEY said he remembered that BULLARD came to the room, but he did not hear BULLARD's remarks.

The following Brown & Root employees (identified by their job titles at the time of the incident) were interviewed regarding their knowledge of the concrete chipping incident; and they testified (documented in Reports of Interview) they either did not recall or were not present during the incident:

Oannie AIKMAN - ironworker (Exhibit 15)
Mickey SHACKELFORD - ironworker (Exhibit 14)
Wayne SIMMONS - ironworker foreman (Exhibit 12)
Earl William DOYLE - BOP inspector (Exhibit 17)



Jerry Allen ENSIGN - pipe foreman (Exhibit 6)
Joe EVANS II - former pipe foreman (Exhibit 7)
Juan NAJERA - ironworker (Exhibit 16)
Harold Gene MORRIS - pipe foreman (Exhibit 8)
Jerry Dale THOMAS - former ironworker (Exhibit 13)
James T. GOODE - former QC inspector (Exhibit 9)
Michael CRAWFORD - pipefitter (Exhibit 5)
Steven DUNN - ironworker foreman (Exhibit 10)

On March 22, 1984, Quindale BULLARD, the Brown & Root ironworker superintendent who was alleged to have threatened MILES, was interviewed and provided the NRC with a signed, sworn statement (Exhibit 11). BULLARD said he did not recall the concrete chipping incident as described by the reporting investigator. BULLARD explained that such conflicts between crews were a common occurrence. BULLARD said he was aware that dust could adversely affect welding; advised he did not recall instructing MILES or the crew to chip concrete where welding was being performed; and remarked he did not remember threatening to fire MILES over any such incident. BULLARD recalled an occasion wherein he threatened to fire MILES for "visiting" with other employees too much while on duty. He noted that MILES was subsequently terminated for loafing on the job.

No information was surfaced to indicate that the concrete chipping actually had an adverse affect on the welds.

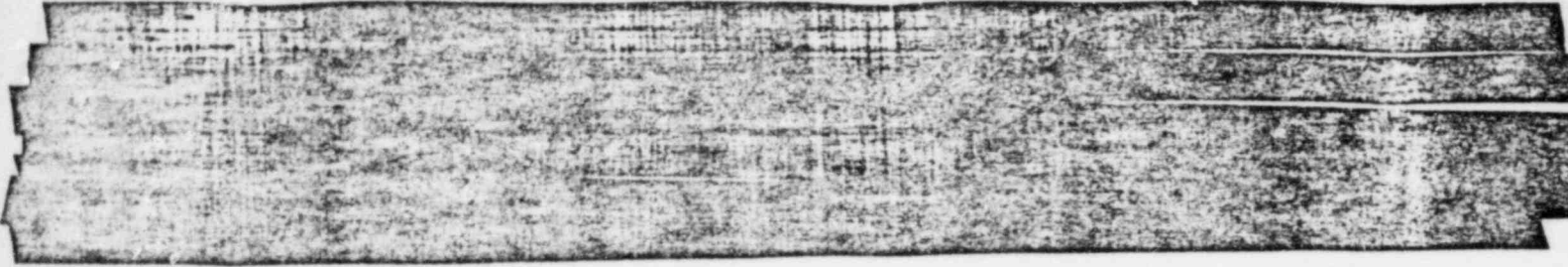
INVESTIGATIVE FINDINGS REGARDING THE ALLEGATION OF INTIMIDATION BY THREAT
OF TERMINATION TO MEET PRODUCTION QUOTAS WHICH REPORTEDLY RESULTED IN DEFICIENT
WELDING

MILES (Exhibit 1) alleged that sometime during the winter of 1981 BULLARD called a meeting of the ironworker crews under his supervision and told the crews he wanted the welders to each "burn" 200 welding rods a day, or they would be terminated. MILES alleged that the ongoing welding on some moment restraints in Unit II increased, but many of the welds were subsequently rejected by QC and BOP inspectors.

[REDACTED] in a signed, sworn statement (Exhibit 3) and Jerry THOMAS (Report of Interview - Exhibit 13) testified they attended BULLARD's production meeting in the winter of 1981 and heard him set a 200 rod a day quota on the welders. They declared they also heard BULLARD threaten to terminate those employees who did not meet his quota.

Ironworkers Oannie AIKMAN (Report of Interview - Exhibit 15) and Mickey SHACKELFORD (Report of Interview - Exhibit 14) said they attended BULLARD's meeting in the winter of 1981 in which he encouraged welding crews to increase production, but they advised they had no recollection of BULLARD setting a quota or threatening to terminate crew members. Ironworker Juan NAJERA (Report of Interview - Exhibit 16) said he did not recall attending the meeting as described by the reporting investigator. NAJERA said he recalled attending a meeting called by BULLARD as a result of the large amount of rework necessary on the switch gear. NAJERA said that during this meeting BULLARD instructed the crews to perform their work properly the first time.

[REDACTED]



Two ironworker foremen under BULLARD's supervision, Steve DUNN (Report of Interview - Exhibit 10) and Wayne SIMMONS (Signed, Sworn Statement - Exhibit 12), were questioned about BULLARD's 1981 production meeting. DUNN said he did not recall attending the meeting or hearing about BULLARD threatening anyone with termination. DUNN acknowledged he did hear talk among the crew members (not further identified) that BULLARD had set a 200 rod a day quota on the welders. DUNN noted that BULLARD kept welding rod counts on specific welders. DUNN said he did not recall any subsequent meeting called by BULLARD relating to production. SIMMONS said he attended BULLARD's 1981 production meeting on the switch gear. SIMMONS related he heard BULLARD threaten to "run off" employees who did not increase their production, but said he did not recall BULLARD setting a quota. SIMMONS said he was not aware of BULLARD actually keeping a rod count on any of the welders. SIMMONS said that many of the welds on the switch gear were rejected by the BOP inspectors. SIMMONS said BULLARD called a second meeting on problems with backing strips on the switch gear, and that BULLARD told the crews to check their work more closely.

The QC inspector, GOODE, and five pipe crew employees who were interviewed regarding the first allegation were also questioned about BULLARD's 1981 production meeting. The following employees denied knowledge of the production meeting:

- J. T. GOODE - QC Inspector (Exhibit 9)
- Rick KEY (Exhibit 4)
- Jerry ENSIGN (Exhibit 6)
- Joe EVANS (Exhibit 7)
- Harold MORRIS (Exhibit 8)
- Michael CRAWFORD (Exhibit 5)

BULLARD testified in a signed, sworn statement (Exhibit 11) that he recalled the 1981 meeting in which he identified two welders, SHACKELFORD and PATTERSON;

(efforts to locate PATTERSON were unsuccessful), as having superior production. BULLARD denied having set a 200 rod a day quota on the welders and did not specifically recall threatening to fire anyone. BULLARD said he told the crews that if low producers did not increase production, he (BULLARD) might have to take "corrective action." BULLARD conceded that by "corrective action" he meant termination. BULLARD said he did not recall any subsequent meetings regarding production.

All fifteen witnesses were questioned regarding their knowledge of BULLARD's reputation for threatening or intimidating employees. The following employees characterized BULLARD as having a reputation for threatening employees' jobs:

[REDACTED]
Rick KEY (Exhibit 4)
Wayne SIMMONS (Exhibit 12)

[REDACTED]
Steven DUNN (Exhibit 10)
Harold MORRIS (Exhibit 8)
Jerry THOMAS (Exhibit 13)
Michael CRAWFORD (Exhibit 5)

The following employees testified they were unaware or did not believe that BULLARD had a reputation for threatening or intimidating employees:

Oannie AIKMAN (Exhibit 15)
Mickey SHACKELFORD (Exhibit 14)
William DOYLE (Exhibit 17)
Jerry ENSIGN (Exhibit 6)
Joe EVANS II (Exhibit 7)
Juan NAJERA (Exhibit 16)
J. T. GOODE (Exhibit 9)

With the exception of a temporary increase in the number of rejected welds which required rework, no information was developed to indicate that the alleged acts of harassment and intimidation resulted in deficient safety systems or the inability of craft personnel to properly perform their duties.

INVESTIGATOR's NOTE: The technical issues contained in MILES' statement have been referred to Region IV staff, even though they appeared in MILES' testimony during his two previous appearances before the CPSES Atomic Safety and Licensing Board (ASLB). MILES' statement also contained other isolated incidents of alleged intimidation/threats which will be evaluated by OI for possible future investigations.

EXHIBITS

1. Statement of Stanley Gene MILES/August 29, 1983
2. Confidentiality Agreement [REDACTED]
3. Statement of [REDACTED]
4. Statement of Richard W. KEY/March 8, 1984
5. Report of Interview of Luther Michael CRAWFORD/April 10, 1984
6. Report of Telephonic Interview of Jerry Allen ENSIGN/March 20, 1984
7. Report of Interview of Joe Dennis EVANS II/March 22, 1984
8. Report of Interview of Harold Gene MORRIS/March 27, 1984
9. Report of Telephonic Interview of James T. GOODE/March 18, 1984
10. Report of Interview of Steven N. DUNN/March 27, 1984
11. Statement of Quindale BULLARD/March 22, 1984
12. Report of Interview of Gerald Wayne SIMMONS/March 19, 1984
13. Report of Telephonic Interview of Jerry Dale THOMAS/March 28, 1984
14. Report of Interview of Mickey SHACKELFORD/March 19, 1984
15. Report of Interview of Oannie D. AIKMAN/January 6, 1984
16. Report of Interview of Juan NAJERA/March 27, 1984
17. Report of Interview of Earl William DOYLE/March 19, 1984
18. Report of Interview of [REDACTED]
19. Confidentiality Agreement of [REDACTED]