



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 OFFICE OF INVESTIGATIONS FIELD OFFICE REGION IV

U.S. NRC

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ASSISTANCE TO INSPECTION REPORT

OFFICE OF INVESTIGATIONS
 HEADQUARTERS
 May 20, 1983

SUBJECT: COMANCHE PEAK
 ALLEGED IMPROPER CONSTRUCTION PRACTICES

REPORT NUMBER: A4-83-005

1. On February 3, 1983, Robert L. MESSERLY provided an affidavit to the Citizens Association for Sound Energy (CASE), an intervenor that included three allegations regarding improper construction practices by Brown & Root personnel at the Comanche Peak Steam Electric Station. MESSERLY alleged the following:
 - a. That Brown & Root employees drilled undocumented unauthorized holes through rebar, and such cutting of rebar was done at the direction of supervisors.
 - b. That the main steam line pipe in Unit I was moved using the polar crane, thereby placing the pipe under unsafe tension.
 - c. That a Brown & Root employee used a cutting torch on hanger material in violation of procedure.
2. On April 6, 1983, MESSERLY was contacted by the reporting investigator, and a meeting was arranged with MESSERLY for the following day. MESSERLY contacted reporting investigator on April 7, 1983, and requested the meeting be changed to April 8, 1983.
3. On April 8, 1983, NRC OIFO Director R.K. HERR and the reporting investigator met MESSERLY at a restaurant in Fort Worth, Texas. MESSERLY was accompanied by Ms. Juanita ELLIS, a CASE representative, and Ms. ELLIS' husband. Ms. ELLIS wished to record the meeting; however, OIFO:RIV was not previously informed of her intended presence nor of her desire to record the interview. OIFO did not have a recorder, and in accordance with OI's policy, the meeting was rescheduled. On April 10, 1983, arrangements were made to use a room at the U. S. Attorney's office, Fort Worth, Texas, and for a court reporter to transcribe the interview of MESSERLY.
4. On April 14, 1983, MESSERLY was interviewed at the U.S. Attorney's office with Ms. ELLIS present. MESSERLY's testimony was taken under oath, Attachment (1), and Ms. ELLIS made her own personal recording of the interview. In his testimony, MESSERLY expanded in detail on his original allegations. MESSERLY named Brown & Root employees responsible for the alleged improprieties and those who could substantiate his allegations. MESSERLY also identified numerous employees by title, and agreed to later provide the corresponding names when he was able to refresh his memory with his personal records located at his residence. MESSERLY also provided the NRC with a copy of a log. MESSERLY explained that he maintained this log to document the cutting of rebar at Comanche Peak. (Note: MESSERLY did not allege that all the entries in the log documented unauthorized cuts through rebar, but rather that some of the entries in the log may have been for holes drilled through rebar that may not have had the appropriate accompanying authorizations.) During this interview, MESSERLY made a fourth allegation regarding instances of

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Brown & Root welders failing to purge stainless steel pipes during welding.

5. On April 21, 1983, a copy of the recorded testimony was mailed to MESSERLY at his residence. On April 27, 1983, MESSERLY was contacted by HERR, and acknowledged receipt of the transcript, but postponed giving the names of the Brown & Root employees he had identified by title in the transcript. MESSERLY stated he had not as yet had an opportunity to read his entire testimony. On April 29, 1983, MESSERLY was again contacted by HERR, but he again postponed providing the names, explaining he was very busy. On May 1, 1983, the reporting investigator telephoned MESSERLY at his residence, and MESSERLY provided twelve, additional names of Brown & Root employees at Comanche Peak he alleged had knowledge of unauthorized cuts through rebar.
6. On May 3, 1983, interviews were initiated at the Comanche Peak site addressing the four allegations. MESSERLY identified 38 individuals allegedly responsible for, or having knowledge of, the allegations. Review of employment records determined that eighteen individuals were no longer employed at Comanche Peak.
7. Between May 3, 1983 and May 10, 1983, 19 Brown & Root employees and 1 Dravo Constructors Inc. employee (formerly employed by Gibbs & Hill) named by MESSERLY were interviewed, and signed, sworn statements were taken from 19 of them. One Brown and Root employee interviewed left on vacation before a signed, sworn statement was obtained from him, and his testimony was recorded in the form of a Results of Interview. One Piping Design Services Inc. engineer was identified by the reporting investigator as responsible for the movement of the main steam line. This engineer was interviewed, and executed a signed, sworn statement.
8. Nine individuals alleged to have knowledge of improper, unauthorized cutting of rebar were interviewed and provided sworn statements. These individuals denied having knowledge of rebar that was cut without proper authorization. A 10th individual responsible for issuing the Component Modification Cards (CMC), authorizing cuts through rebar, was interviewed and provided a signed, sworn statement denying knowledge of any procedural violations. Testimony identified instances where rebar was accidentally cut, but this testimony also established that in these instances, CMC's were obtained after the cuts were reported to the engineers. There was no testimony received indicating that holes were drilled or rebar was cut without proper documentation, and no evidence was found to contradict the testimony of these individuals.
9. Three Brown & Root employees alleged to have knowledge concerning the use of the polar crane to move a portion of the main steam line in Unit 1 were interviewed and provided signed, sworn statements. A Piping Design Services Inc. engineer responsible for relocating the steam line, provided testimony of his evaluation and direction of the relocation of the line. The testimony taken from these four witnesses indicated that the relocation of the main steam line was done under the direction of engineers, and was accomplished to remove stress on the line and to return it to its designed location. No testimony was received to indicate that the line was "cold sprung" or installed under stress.

10. Eight Brown & Root employees alleged to have knowledge concerning the improper use of cutting torches on hanger material were interviewed. Two witnesses stated they remembered an instance during the redesign of a hanger in which a piece of tube steel was discovered to have had the bolt holes enlarged using a torch, which was a procedural violation. The testimony of the two witnesses indicated that this hanger was scrapped because of the procedural violation, and was replaced with new material. The other six had no knowledge of improper use of cutting torches or hangers.
11. Two Brown & Root employees were interviewed concerning their alleged knowledge of lugs improperly welded onto stainless steel pipe without purging the pipe. Both executed signed, sworn statements, and indicated that they did not know of any instances where welding was done on stainless steel pipe which required purging by procedure unless a "purge deletion" was received from the engineers.
12. All of the employees mentioned by MESSERLY in his affidavit who were still employed or available for interview denied the allegations made by MESSERLY. No evidence was uncovered during these inquiries which indicated deception on the part of the witnesses. The witnesses ranged from pipe fitter helpers to Brown & Root superintendents. A Piping Design Services Inc. engineer and the Dravo Constructors Inc. project manager also provided testimony which contradicted the allegations.
13. The signed, sworn statements are maintained in OIFO:RIV. No further inquiries are anticipated unless staff inspections identify additional pertinent information that would tend to substantiate the allegations or discredit the interviewees.

Attachments:

- (1) Testimony of MESSERLY - dated 4-14-83
- (2) List of Interviewees
- (3) List of terminated employees identified in Attachment (1)

REPORTED BY:

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APPROVED BY:

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cc: ✓ W. Ward, OI:DFO - w/attachments
J. Collins, RIV - w/attachments
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