

STATEMENT

PLACE: [REDACTED]

DATE: 8/31/83

I, William A. Dunham, hereby make the following voluntary statement to Mr. D. D. Driskill, who has identified himself to me as an Investigator with the U. S. Nuclear Regulatory Commission. I make this statement freely with no threats or promises of reward having been made to me. Until Friday August 26, 1983 I was employed by Brown & Root Inc as a LEAD QC Coatings Inspector in the Coatings QC Department at Comanche Peak Steam Electric Station. On 8/20/83 I was Terminated by Gordon Purdy of B&R, the CPSES ASME Quality Assurance Supervisor. His "insubordination" during an attitude counseling session." The reason I believe I was terminated is because I had pointed out shortcomings in coatings QC program.

On Wednesday August 24, 1983 two (2) EPASCO Corrosion Engineers (NFI: I believe one was from Waterford 3 and the other was from Navajo Hill) held a meeting with CPSES Coatings QC Inspectors to explain changes they were making in the CPSES Coatings QC program. During this meeting, which was also attended a new supervisor called "CUREY", HARRY WILLIAMS, EVERETT HANSEN and the Coatings Department QC clerks; the EPASCO engineers had a question and answer session.

8410310220 840726
PDR ADDOCK 05000445
Q PDR

Wm. A. D.

During this session a number of the inspectors asked questions. I also asked several questions and pointed out quality control problems our department has been experiencing. These engineers appeared to be very concerned about some of the problem areas (which included practices we ~~have~~ ^{have} been forced to comply with) which myself and other ~~inspectors~~ ^{insp. D.} inspectors pointed out. The engineers said they would look into these problems.

This question and answer session lasted about one hour and 15 minutes. I would guess I asked 10 or 11 questions. For every question I asked I was called on by one of the engineers after raising my hand. At no time was I disruptive or disrespectful during the meeting. One of the statements I made related to CPSES inspectors being forced to sign documents (inspection reports) which contained data the inspectors disagreed with. I recognize this is a very sensitive issue in the QC Department at CPSES. I would also like to point out Danny Williams shook his head "no" at me repeatedly attempting to get me to stop asking questions.

insp. D.

On Friday 8/26/53, about noon, Mauser informed me that we were having a meeting with Purdy at 4:30 pm that afternoon. At about 3:00 pm Tom Brandt's secretary called me and asked me what my badge number was and I told her. At 4:30 pm Mauser and I went to Purdy's office. Purdy and "Curley" were there. As I sat down Purdy slid a sheet of paper in front of me and stated "I'd like ~~to~~^{u.d.} you to read and sign this, Bill." I examined the document. The document was a counselling memo concerning the Wednesday meeting. The memo stated I had been "a disruptive influence in an already sensitive organization." It also stated that any further "demonstration of this attitude would be cause for immediate termination." I told Purdy that I couldn't sign the memo. I also stated to Purdy, "you talk about sensitive, that's sensitive" (as I pointed at the memo). In response to my talking him I ~~can't~~^{u.d.} couldn't sign the document, Purdy said "I'll have to ~~take~~^{u.d.} take you to the gate then." I then told Purdy "I guess you'll have to take me to the gate because I'm not changing"

4

my attitude on quality" I also said "I'll find another job." Purdy then left the office.

Mausser then accompanied me to the Paint QC Office to get my gear. I then went to the B&R Time Office where I was given my check (which was short) and my termination sheet. The termination sheet was already signed by Purdy when I arrived there. The termination sheet listed ^{W.D.} my performance rating as "fair." I refused to sign my name to the termination sheet because it did not reflect the true cause for my dismissal.

I would also like to point out that although I did not frequently interface with Purdy, I did meet with him several weeks ago at which time I discussed with him the fact that my subordinates were being harassed and intimidated by Harry Williams. I told him Williams was instructing me to have my subordinates sign inspection reports accepting sub-standard safety-related coatings applications. It was during this meeting with Purdy that I requested a transfer to another QC group.

W.D.

5

During this meeting with Purdy he seemed very sympathetic to my problem and assured me he would keep our discussion confidential. I knew discussing these matters with management personnel could create problems for me.

About an hour after my meeting with Purdy I was called to Ron Tolson's (Site QA Manager) office. Tolson, Tom Brandt and Purdy were there. It became immediately obvious Purdy had told them the content of our earlier discussion. Tolson made a comment to the effect "Boy, what's this bullshit about intimidation and harassment?" I explained to him what Williams was forcing our QA inspectors to do. I also told Tolson that Williams was instructing us to overlook nonconforming conditions. I underwent an extensive interrogation by Tolson and Brandt during which they were very unsympathetic to my concerns. Tolson's parting words were "I'll look into it" and I was dismissed.

With regard to my refusal to sign the Counseling memo on 8/26/83, I knew that the document would eventually lead

W.D.

6

to my dismissal. It would have been a basis for my being laid-off during a reduction-in-force or a management decision would have soon been made that my "attitude" had not changed. Furthermore there have been many rumors that the experienced Coatings QC Inspectors are going to be terminated in order to hire less experienced personnel or other personnel who will sign off as satisfactory the inadequate and defective coatings in safety-related areas.

I have read over, understand, initialed errors and made corrections in the foregoing 6 page statement. I swear this statement is true and correct to the best of my knowledge. Executed on 8/31/83.

Wm. A. Dunham

WILLIAM A. DUNHAM

Subscribed and sworn to before me this 31st day of August, 1983 at [REDACTED]

[Signature]

RESULTS OF TELEPHONIC INTERVIEW WITH WILLIAM DUNHAM
AS RECORDED BY NRC INVESTIGATOR D. D. DRISKILL
ON SEPTEMBER 12, 1983

At 1800, September 12, 1983, William DUNHAM, former Coatings Quality Control (QC) Inspector at Comanche Peak Steam Electric Station (CPSES), was reinterviewed by NRC Investigator D. D. DRISKILL at [REDACTED] DUNHAM was reinterviewed concerning the current status of his intention to file a discrimination complaint with the U.S. Department of Labor (DOL) regarding the circumstances associated with his termination by Brown & Root, Inc., at CPSES.

DUNHAM explained that several days subsequent to his allegedly discriminatory termination by Brown & Root, he attempted to telephonically contact Ray VIRPOLET, Quality Assurance (QA) Director, Brown & Root, Inc., Houston, Texas. DUNHAM stated VIRPOLET was not in his office, therefore, he (DUNHAM) left a message requesting that VIRPOLET call him. DUNHAM stated that later that day, he was telephonically contacted by Peter McCLAIN, Attorney, Brown & Root, Inc., Houston, Texas. DUNHAM stated he apprised McCLAIN of the circumstances relating to his termination. DUNHAM stated McCLAIN said he would go to CPSES the next week (September 5-9, 1983) and look into the matter and would then recontact him. DUNHAM stated that on September 9, 1983, McCLAIN met with him and recommended DUNHAM look elsewhere for work. DUNHAM said McCLAIN stated he would need some additional time to review the circumstances relating to DUNHAM's termination. DUNHAM said it was obvious that McCLAIN did not intend to find in his (DUNHAM's) favor.

DUNHAM also stated that during his meeting with McCLAIN he (DUNHAM) was shown a typewritten copy of the counselling form which was purported to be the document he refused to sign on the day he was terminated. DUNHAM said the typed form he was shown was not the same sheet he was asked to sign on the day he was fired. DUNHAM stated Gordon PURDY had written the counselling notes on a three-part memorandum on that day. DUNHAM stated that the typed document contained many of the same statements which were on the three-part memorandum; however, the verbiage was not exactly the same. DUNHAM stated he advised McCLAIN of these facts.

During additional questioning concerning his termination, DUNHAM was asked if he had learned the identities of the two Ebasco corrosion engineers who talked to the CPSES Coatings QC inspectors. DUNHAM stated he has learned that one is still working at CPSES. He stated the engineer who was sympathetic to the problems presented by the inspectors has been released. DUNHAM stated he doesn't know either of their names.

END OF RESULTS OF INTERVIEW WITH WILLIAM DUNHAM ON SEPTEMBER 12, 1983.

Signature: _____

Donald D. Driskill, Investigator
OI Field Office, Region IV

U.S. Department of Labor

Employment Standards Administration
Wage and Hour Division
Room 7A12, 819 Taylor St.
Fort Worth, Texas 76102



September 26, 1983

William A. Dunham
[REDACTED]

Dear Mr. Dunham:

This will acknowledge receipt of your complaint against Brown & Root, Inc. alleging violations of the Energy Reorganization Act. Your complaint was received in this office on September 23, 1983.

The Act requires the Secretary of Labor to notify the person named in the complaint of its filing and to conduct an investigation into the alleged violations. Consequently, we are providing Brown & Root, Inc. with a copy of your complaint and advising of the Wage and Hour Division's responsibilities under this law. We have enclosed a copy of the pertinent section of the Act, and a copy of Regulations, 29 CFR Part 24 for your information.

This case has been assigned to Compliance Officer Robert C. Rice whose first action will be to try and achieve a mutually agreeable settlement through conciliation. If this is not attainable an investigation will be conducted as soon as possible. If you have further evidence, please give it to our representative who will contact you on this matter. If you have any questions do not hesitate to call me or our representative at area code 817 334-3417.

Sincerely,

Curtis L. Poer
Area Director

EXHIBIT (3)

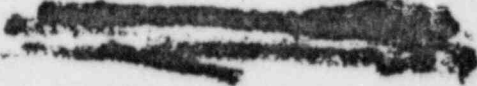
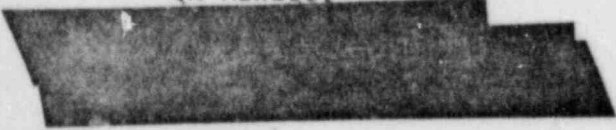
U S. Department of Labor

Room 7A12, 819 Taylor St.
Fort Worth, Texas 76102



September 26, 1983

Mr. Gordon Purdy
QA Manager



Dear Mr. Purdy:

This will notify you that the Wage and Hour Division of the U. S. Department of Labor has received a complaint from William A. Dunham alleging discriminatory employment practices in violation of the Energy Reorganization Act. This charge was received by our office on September 23, 1983. We have enclosed a copy of the complaint, a copy of Regulations, 29 CFR Part 24, and a copy of the pertinent section of the Act.

The Act requires the Secretary of Labor to conduct an investigation into the violations alleged. This case has been assigned to Compliance Officer Robert C. Rice whose first action will be to try and achieve a mutually agreeable settlement through conciliation. If this is not attainable, the law requires that an investigation be conducted as soon as possible. You are encouraged, and will be given every opportunity, to present any relevant information or evidence to our representative.

Thank you for your cooperation in this matter.

Sincerely,

Curtis L. Poer
Area Director

Enclosures

Sir:

I was terminated Aug. 26, 1983 in direct violation of Public Law 95-106 and the Energy Reorganization Act of 1974. My job was Lead Quality Control Inspector in Coatings.

I was terminated because I complained to Quality Control Mgmt. that Harry Williams, my supervisor, was Harrassing, Intimidating, and threatening my subordinate inspectors and me.

~~This fact.~~ ^{was on 7-20-83} Mr. Williams has in fact signed a statement, admitting to the acts, in front of a member of the Nuclear Regulatory Commission.

As a result of this statement, Mr Williams was demoted from Civil C.C. Supervisor over many departments to Supervisor of our group alone. This served two purposes for G.C. Mgmt. The first purpose was to punish the G.C. Coatings Department for complaining to the N.R.C. The second purpose was to punish Mr. Williams - getting caught.

After his visits with the N.R.C., Mr. Williams threats and intimidation stopped for about two weeks. Then the harrassment, Intimidation and threats began again. Mr. Williams repeatedly instructed me to pressure inspectors into accepting coating work that was not acceptable per procedure. He also instructed me to accept unacceptable coatings and sign off on them for inspections made by other inspectors.

2 of

I went to Mr. Gordon Purdy after Mr. Williams held a meeting and said "There will be no more N.C.R.'s written by this group. (N.C.R. means Non-Conformance Report and there is a law that says anyone who sees a non-conforming condition must report it.)"

Mr. Dan Farris was at this meeting with Mr. Purdy and me. I complained to Mr. Purdy about Mr. Williams threats harassment and intimidation of Nuclear Quality Control Inspectors. Mr. Purdy said "Needless to say, we had complaints concerning Mr. Williams before." He also said, "I'll stir the kettle a bit and see what I can come up with." He also assured me that he would keep this meeting confidential. He lied. An hour and a half later I was summoned by Mr. Williams to go to Mr. Ron Tolson's office. Tolson is the Texas Utilities Generating Co. Site Quality Assurance Supervisor. As such, he is the top Quality Representative on site.

As an opening conversation, Mr. Tolson said, "Boy, what's this Bullsh about Harassment and Intimidation. Then Mr. Tom Brandt (Harry Williams' Supervisor) came in and I was questioned by both men. I couldn't get one question answered before the other man would interrupt my answer with another question.

Later, Mr. Tolson came to my office. Tolson and Mr. Brandt talked over me. Mr. Brandt wanted to know if I

didn't report to him first. I said it was because he fired Charles Atchison for much the same thing. Then, Mr. Purdy insisted that he was the one that fired Charles Atchison. At this point, I realized my job was in jeopardy. I tried to warn Mr. Tolson that the Coatings Q.C. Inspectors were steadily reporting to the Nuclear Regulatory Commission. He replied "I don't care a damn about the N.R.C. I'll take you over right now and introduce you to them. Now, you're trying to intimidate me!"

I told these top members of Q.C. Mgmt. not to take my word for it, but to ask the other Q.C. Coatings Inspectors. Tom Brandt said he was and I was dismissed from the office.

On (I believe) Aug. 11 a meeting was held with All Q.C. Personnel in the Coatings Dept. ~~At~~ ^{also present} were all Craft (Coatings) Supervision from Safety Related areas and members of Construction Mgmt.

This meeting was held to try to ease tension between Craft and Q.C. It was announced that there would be free beer and bar-b-que after work for all Coatings Q.C. and Craft Supervision (An inspector who had already resigned due to all the harassment and I attended this bar-b-que. He was the only Q.C. inspector that attended.)

Mr. Gene Crane said at the meeting

that anyone with suggestions that would help the construction effort should come forward and present them. (I did this the following day, by suggesting that thousands of dollars could be saved and quality improved by eliminating the zinc primer for small repairs and replace it with a two coat epoxy system as other Nuclear Plants had done. I believe this demonstrates a good attitude.)

At this same meeting, (Aug. 11) Quality Control was represented by a man known to me only as "Curley." After the meeting Tom Miller and I approached "Curley" and asked if the new program that Construction Mgmt. was promising would mean an end to Harassment, Intimidation, and Threats of Q.C. Inspectors. I pointed out numerous examples of what was happening. He said he would look into it and acted sincerely concerned.

On Aug. 18 a meeting was held, primarily to tell the inspectors that they were too picky. At this meeting "Curley" said he had investigated my complaint and that it had no merit. He assured us, "No physical contact will occur."

Physical Contact is not the only method of impeding and intimidating Nuclear Quality Control Inspectors.

On Aug. 20 Mr. Warren Williams informed me that Friday was a very busy day and for me to be there one came in on Friday.

On Friday, Aug. 26, Mr. Harry Williams was absent. This same day @ 12:30 P.M. I was told by Evert Mouser to attend a meeting in Mr. Gordon Purdy's office @ 4:30.

At 3:00 P.M. Tom Brandt's secretary Lori Sargent called and asked for my Badge number. I believe this was to prepare my termination. At 4:00 P.M. Evert Mouser came to make sure. I attended the 4:30 meeting. He repeatedly denied that he knew what the meeting was about and said that he was also called and asked his badge number.

Present at the 4:30 meeting, which lasted only about two minutes, were "Curley" Mr. Gordon Purdy, Evert Mouser and I. Mr. Purdy slid a memo with carbon copies across the table and said "Bill, I'd like for you to read this and sign it please." I read most of the memo. It stated in part that I was disruptive to a sensitive organization, rude, and had a bad attitude, that I had repeatedly voiced a lack of confidence in Q. C. Tugt. and any further examples of this would be cause for my immediate termination. I told Mr. Purdy that I couldn't sign it. (There was no room for any comment from me on this part of memo)

He said "I'll have to take you to the gate then." I said "I'm not signing

my attitude towards Quality." "I get another job." He stormed from office and used a phone down the hall. (He had a phone on his desk) I stepped into the hall and it sounded like he said "Go ahead with it."

On the way to my office to collect my personal belongings, Evert Mouser admitted that my termination was the reason Harry Williams was absent that day. He also admitted this again at the office in front of other people.

At the time of my office my checks were ready (the vacation check was short and I like this corrected) and my time had stopped @ 4:30. I was asked to sign a statement to the effect that insubordination was the true and correct cause for my termination. My rating by Mr. Purdy was "Fair." Previously, I came to this plant for another Brown & Root Nuclear Project with an "excellent" rating, and I have letters of recommendation from former Supervisors.

I have met Mr. Purdy only twice, once when I went to him with my complaint and once at this termination conspiracy. When I was asked to sign the statement that insubordination was the true and correct cause for my termination, I wrote, "Fucking Lie" instead of my signature because at this point I was no longer employed by anyone and I felt that, with checks in hand, I was being

I had nothing to lose.

Evert Mouser held a meeting at 5:00 the same day and he and "Curley" lied to the inspectors and said that I had lost my temper and quit. Additional meetings were held and Mouser maintained for days that I had lost my temper and quit. This is a total lie.

I have never been a subordinate to Mr. Purdy. He is head of the A. S. M. E. organization (American Society of Mechanical Engineers) I was employed in the NON-ASME organization. I was not employed by "Curley" and don't even know his real name. I contend my counseling for attitude was not legal and that my termination was a pre-arranged conspiracy. My supervisor was not present, his supervisor was not (Tom Brandt present, nor was Mr. Tolson (Tom Brandt's super) present.

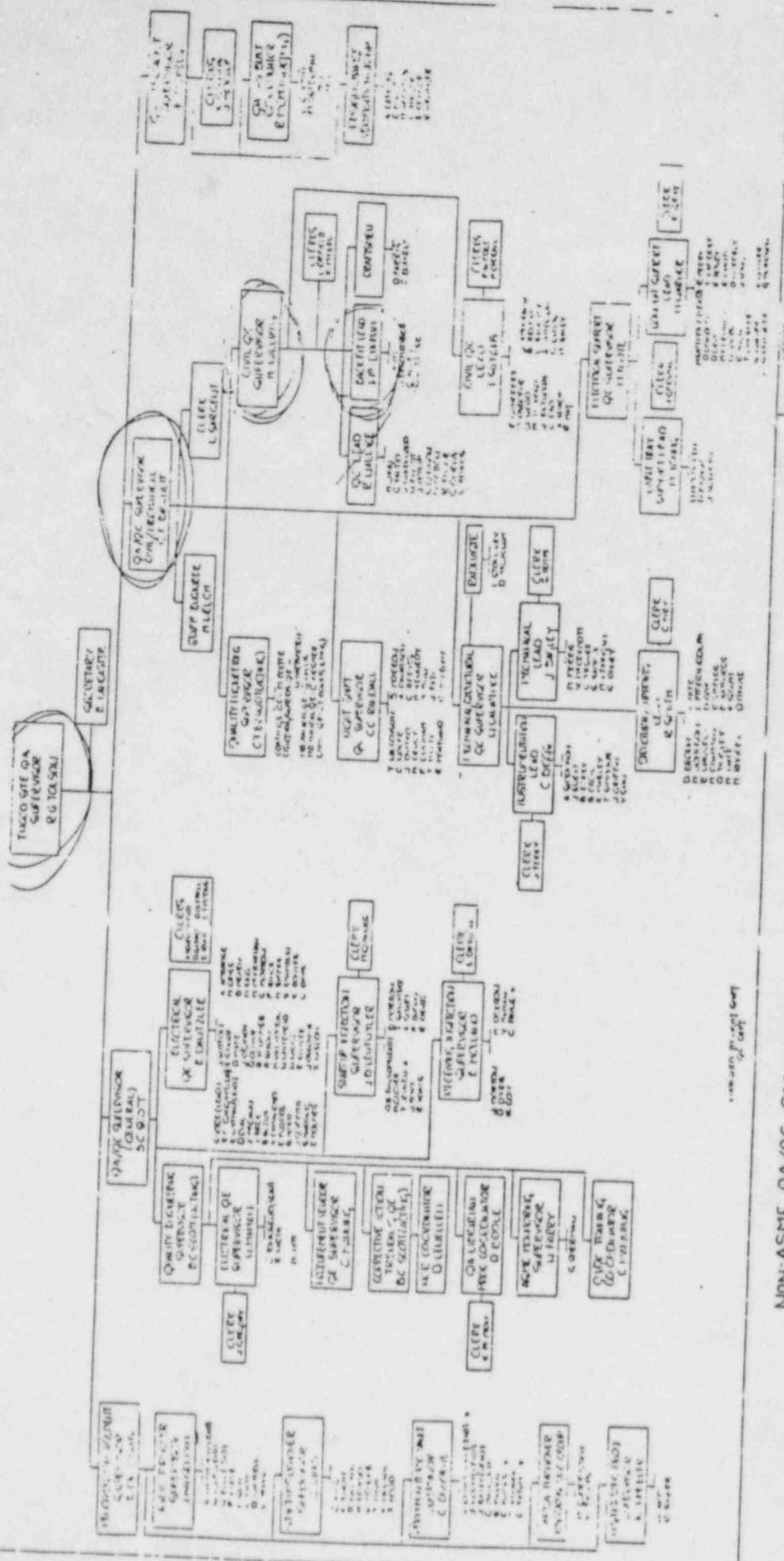
I ask for relief from this illegal termination, back pay, reinstatement, legal fees, travelling expenses while searching for work. Reimbursement for deposits and moving expenses.

In addition, due to the serious nature of this Federal offense, and due to the fact that this is not an isolated incident but a continuing management policy, I ask for exemplary damages in the amount of one million dollars.

The preceding statements are true and correct, to the best of my knowledge.

Wm. A. Dunham 9-20-8

attachment: Organization Chart



C.P. S.E.S.

NON-ASME QA/OC ORGANIZATION