



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

CC: Denton/NRR
DeYoung/IE ✓
Cunningham/ELD

04-27
7-27

July 26, 1984

MEMORANDUM FOR: John T. Collins, Regional Administrator
Region IV
FROM: *[Signature]* Ben B. Hayes, Director
Office of Investigations
SUBJECT: *[Signature]* COMANCHE PEAK STEAM ELECTRIC STATION: ALLEGED
DISCRIMINATION AGAINST QUALITY CONTROL INSPECTOR (4-83-016)

[Handwritten notes: RLD, Hayes, JA, SA, 7-27]

The enclosed report of investigation documents the Office of Investigations' (OI) findings regarding the above captioned subject.

A former Brown and Root, Inc. (B&R) lead quality control (QC) inspector at the Comanche Peak Steam Electric Station (CPSES) filed a complaint with the Department of Labor (DOL) claiming that he was involuntarily terminated due to remarks he had made at a QC meeting to the effect that a QC supervisor was intimidating and not supporting his subordinates. The DOL investigation established that the individual's termination was discriminatory in nature; however, the issue has not been resolved since B&R has appealed this finding.

A concurrent investigation was conducted by OI since the individual maintained his discriminatory termination had an intimidating effect on QC personnel. Seven QC inspectors who had attended the meeting were interviewed. All believed B&R had terminated the individual since he had complained about harassment, intimidation, and the lack of support by QC management at the meeting. Due to this perception, all felt intimidated to the extent that they did not feel they could discuss QC concerns and other work-related problems with CPSES management. However, all denied that the circumstances of the termination affected their ability to report deficiencies or document nonconforming conditions. Eight CPSES management personnel were interviewed who claimed the QC inspector was terminated due to his refusal to accept counselling regarding his allegedly disruptive behavior at the meeting and insubordination to a supervisor who attempted to counsel him.

A previous OI investigation (Case No. 4-83-001) corroborated former allegations that the supervisor who was accused of intimidation by the terminated employee, had previously made threatening and intimidating statements to QC inspectors.

Neither this report nor memorandum may be released or disclosed outside the NRC without the permission of the Director, OI. Internal NRC access and dissemination must be on a need and right to know basis.

Enclosure:
As stated

8502280555 841130
PDR FOIA
GARDE84-779 PDR

cc: W. J. Dircks, EDO (3 copies)
R. K. Herr, OI:RIV (1 copy)

A-13

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
TEXAS UTILITIES ELECTRIC) Docket Nos. 50-445/2
COMPANY, et al.) 50-446/2
)
(Comanche Peak Steam Electric)
Station, Units 1 and 2))

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF PROPOSED FINDINGS OF FACT ON ALLEGATIONS OF INTIMIDATION, THREATENING AND HARASSMENT OF QUALITY CONTROL INSPECTORS AND OTHER QUALITY ASSURANCE PERSONNEL AT THE COMANCHE PEAK STEAM ELECTRIC STATION" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or deposit in the Nuclear Regulatory Commission's internal mail system (*), or by express mail or overnight delivery (**), or by hand delivery (***), this 4th day of September, 1984:

Peter B. Bloch, Esq., Chairman***
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Herbert Grossman, Alternate Chairman***
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Walter H. Jordan**
Administrative Judge
881 W. Outer Drive
Oak Ridge, TN 37830

Dr. Kenneth A. McCollom
Administrative Judge
Dean, Division of Engineering,
Architecture and Technology
Oklahoma State University
Stillwater, OK 74078

Mrs. Juanita Ellis
President, CASE
1426 South Folk Street
Dallas, TX 75224

Renea Hicks, Esq.
Assistant Attorney General
Environmental Protection Division
P. O. Box 12548, Capital Station
Austin, TX 78711

Nicholas S. Reynolds, Esq.***
William A. Horin, Esq.
Bishop, Liberman, Cook,
Purcell & Reynolds
1200 17th Street, N.W.
Washington, DC 20036

Mr. James E. Cummins
Resident Inspector/Comanche Peak
Steam Electric Station
c/o U.S. Nuclear Regulatory Commission
P.O. Box 38
Glen Rose, TX 76043

A-16

John T. Collins
William L. Brown
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 1000
Arlington, TX 76011

Mr. Michael D. Spence, President
Texas Utilities Electric Company
Skyway Tower
400 North Olive Street, L.B. 81
Dallas, TX 75201

Lanny Alan Sinkin
114 W. 7th, Suite 220
Austin, TX 78701

Atomic Safety and Licensing Board
Panel*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Docketing and Service*
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555

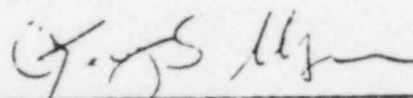
Billie Pirner Garde***
Citizens Clinic Director
Government Accountability Project
1901 Que Street, N.W.
Washington, DC 20009

Robert A. Wooldridge
Worsham, Forsythe, Sampels & Wooldridge
2001 Bryan Tower, Suite 2500
Dallas, TX 75201

Ellen Ginsberg, Esq.***
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Atomic Safety and Licensing Appeal
Board Panel*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Anthony Z. Roisman, Esq.**
Trial Lawyers for Public Justice
2000 P Street, N.W., Suite 611
Washington, DC 20036



Geary S. Mizuno
Counsel for NRC Staff