



NUCLEAR REGULATORY COMMISSION
REGION I
831 PARK AVENUE
KING OF PRUSSIA, PENNSYLVANIA 19406

JAN 1 1984

Mr. Joseph Wampler

Dear Mr. Wampler:

This refers to the telephone conversations on January 5-6, 1984 which you had with Mr. Antone Cerne, NRC Senior Resident Inspector, at the Seabrook Station, Seabrook, New Hampshire, concerning radiography activities conducted by Pullman-Higgins at a temporary job site at Seabrook. During these conversations, you made certain radiation safety allegations regarding these activities. You further stated that you believe you were discriminated against by Pullman-Higgins in that you were terminated from your employment on January 3, 1984 for allegedly raising radiation safety concerns with Pullman-Higgins management.

I understand that you or your counsel have already contacted Diane Tefft of the State of New Hampshire regarding the alleged radiation safety violations by Pullman-Higgins. That contact was appropriate because the State of New Hampshire has responsibility for licensing and inspection of Pullman-Higgins' radiography activities. With regard to your discrimination complaint, as indicated by Mr. Cerne during the January 6 conversation, the United States Department of Labor is the responsible agency in this matter. Therefore, we suggest you contact them for resolution of your complaint. A copy of DOL's "Procedure for Handling of Discrimination Complaints Under Federal Employee Protection Statutes" is enclosed.

Your additional concern regarding the completion of approximately 16 non-conformance reports that were in preparation at the time of your termination will be reviewed by this office during a routine NRC Region I inspection at the Seabrook site. We appreciate your bringing these matters to our attention.

Please let me know if I can be of further assistance.

Sincerely,

Robert M. Gallo
Chief, Reactor Projects Section 2A

Enclosure: As Stated

cc:

Diane Tefft, Manager, Radiological Health Program, State of New Hampshire

8501140536 840514
PDR FOIA
CURRAN84-263 PDR

ber D. Nussebaum, AD/SAP, SF
J. Allan
J. Gutierrez
R. Starostecki
H. Kister
R. Gallo
D. Holody
D. Haverkamp
State Programs
Allegation File ✓

ALLEGATION RECEIPT REPORT

NAME: Joseph Wampler ALLEGATION: Unauthorized access to radiographic FACILITY: Pullman-Higgins Radiographic (at Seabrook site)

ADDRESS: area with source exposed; FILE NO: RI-84-A-0001

allegor terminated for DATE: 1/5/84

raising safety concerns TIME: 1:00 pm

CONFIDENTIALITY REQUESTED: YES NO DOC NO:

SUMMARY OF INFORMATION:

Reference: Attached Report of Allegation dated 1/9/84

Allegations:

- 1. Unauthorized entries have been made into a radiation area with radiography source exposed (2 examples cited)
2. Allegor feels he was terminated for officially raising radiation safety concerns to management, and other terminations have occurred related to the radiation safety allegation.

Additional technical concern (non allegation):

- 1. At time of termination, allegor had 16 nonconformance reports to write. He doesn't know how these would be handled.

PAGE 2 OF 2

PREPARED BY: Donald R. Haverkamp, Acting OAC

DATE: 1/16/84

ACTION REQUIRED (TO BE COMPLETED BY OAC AFTER INITIAL PANEL MEETING):

Send letter to alleged (cc to D Tofft, New Hampshire; bcc to D Nussbaum - SP)

informing him of (1) New Hampshire followup to safety concerns,

(2) Dept. of Labor responsibility for alleged discrimination, and

(3) planned Region I review of unwritten NCR concern.

REVIEWED BY:

DATE:

James M. Allan

1-17-84

NOTE: Allegation Panel members were J. Allan (Chairman), R. Starosteck,
R. Gallo, S. Ebner, J. Glenn, and D. Holody.

Also present: R. Borchardt and D. Haverkamp

CASE
CC: OI
State Agreement Officer

TELEPHONE REPORT

DATE JAN 5, 1984 TIME 1:00 PM
FACILITY Seabrook, Units 1+2 DOCKET NO. 50-443
50-444
INCIDENT OCCURRENCE IDENTIFICATION NO. (IF ANY) _____
BASE SUBJECT: Radiation Safety Concerns

DESCRIPTION OF OCCURENCE, DEFICIENCY OR INCIDENT:

On 1/5/84 the SRI noted a phone message on his recorder from Joe Wampler [] requesting a return phone call. The SRI knew Mr Wampler to be the former Pullman-Huggins Level III technician (NOE) who had been terminated for cause by P.H. on 1/3/84 for causing dissension between management + the NOE staff.

At 1:00 pm the SRI called Mr Wampler and was informed that Mr Wampler did not really want to talk to the NRC "yet." Apparently he has been advised by his lawyer to hold off on any direct allegation to the NRC. What the SRI was able to learn from Mr Wampler was:

- he ^{supr he} has in possession documented proof of radiation safety violations.
- he ^{feels he} was terminated from his job because he raised concerns re: radiation safety to his management.
- he will present all facts to the NRC at some future time + plans to call the SRI again at 2:00 pm on 1/6/84
- he, or his lawyer, is also in contact with the State of N.H. on this issue.
- he requested that Pullman, Huggins not be informed of his contact with the NRC.

NOTIFICATION RECEIVED BY Antae C Lane, SRI, Seabrook

x SRI attempted to determine if any quality work allegations would be RO:I Form 50 made + Mr Wampler indicated they were occupational/ June 74 radiation safety problems. The SRI briefly discussed the agreement state status of N.H. on such issues and also indicated the NRC would not be used as a lever in a pure labor dispute. Mr Wampler indicated this was not the c

HRU: R. GALLO
TD: ACTING TECH. ASST, DPRD

REPORT OF ALLEGATION
(See RI No. 1200.10)

CC: D. Holody, Enforcement
K. Christopher, OI
J. Glen, Acting State Agreement Office

When receiving an allegation by telephone, it is important that the recipient be alert to the emotional state of the caller and use judgement when attempting to elicit the following information to avoid possibly discouraging the caller from reporting it.

Initial Call: 1/5/84, 1:00pm

DATE/TIME: Follow-up Call: 1/6/84, 2:30pm
(Note: The SRI also called Mr. Wampler back on 1/6/84, 3:30pm, to give him the DOL, Wage & HOUR Division, tel. no. (603) 666-7716 in Manchester

RECEIVED BY: Antonio S. Cerpe, SRI, Seabrook

ALLEGOR'S NAME: Joe Wampler

TEL. NO.: (Home) []

(Business) N/A

ADDRESS: []

WAY CONTACT: Yes
 No anytime via phone at his residence (Time)

(Place)

EMPLOYER: Current: unemployed; up until 1/3/84: Pullman-Higgins POSITION/TITLE NDE Level III Technician & Radiation Safety Officer

AFFECTED LICENSEE OR COMPANY: Pullman-Higgins

FACILITY: Seabrook Station

DETAILS (Use additional pages as necessary):

(NOTE: Processing this allegation should consider Supplement No.1 to Regional Instruction 1200.10 since potential employee discrimination is involved).

Mr. Wampler's allegations may broadly be categorized as two-fold:

- 1) He feels he was terminated from his position by Pullman-Higgins (P-H) management on 1/3/84 for officially raising radiation safety concerns, verbally and in writing, to P-H management personnel on 12/28/83. He feels it was his responsibility as the Radiation Safety Officer to raise these concerns.
- 2) The specific concerns that Mr. Wampler raised involved alleged violations of NRC, State & site rules (eg: 10CFR, Part 34) regarding access to radiographic areas. He stated he had documented evidence of unauthorized entry into a radiation area with the radiography source exposed & without the radiographer-in-charge's permission. This alleged entry was made by a Mr. Wampler also alleges that a [] also has verbally admitted to crossing radiation boundaries without the radiographer-in-charge's permission. Mr. Wampler also indicates he has in his possession a letter, addressed to the NRC and signed by 8 NDE technicians, complaining of the alleged violations of radiation boundaries by [] When asked, Mr. Wampler indicated that he did not know of any overexposures as a result of these alleged violations.

Additional concerns/statements made by Mr. Wampler:

- At the time of termination Mr. Wampler had approximately 16 nonconformance reports to write. He doesn't know how these would now be handled.
- On January 3, 1984 five RT technicians were terminated and one NDE supervisor resigned. On Jan. 6, 1984 another technician was terminated and one other resigned. Mr. Wampler indicated all this personnel movement is related to the radiation safety allegation.
- He (or his lawyer) has been in contact with Diane Tefft of the State of N.H. regarding the specific radiation safety violations.

REPORT OF ALLEGATION (Joe Wampler)

Additional information concerning this issue which was determined from other sources than Mr. Wampler:

- Pullman-Higgins QA management had earlier (week of December 27, 1983) told the SRI to expect to see an allegation from technicians re: crossing radiation boundaries. P-H indicated that this had basis in the fact that certain technicians were found asleep while on duty and had been suspended.
- The YAEC QA Manager, who also had been called by Mr. Wampler on this allegation, told the SRI that YAEC had requested UE&C to investigate this matter since an attempt to unionize the P-H NDE technicians may have been a factor in the numerous terminations.

Antone C. Cerne

Antone C. Cerne
SRI, Seabrook

1/9/84