

U.S. NUCLEAR REGULATORY COMMISSION  
Office of Inspector and Auditor

Date of transcription November 7, 1984

Report of Interview

Ms. Billie Pirner Garde, Director, Citizens Clinic, Government Accountability Project (GAP), Institute for Policy Studies, was interviewed concerning possible NRC misconduct regarding the Comanche Peak Steam Electric Station (SES). Garde alleged that Region IV, NRC, and the Office of Investigations (OI), NRC, did not properly respond when notified of wrongdoing by Texas Utilities Generating Company (TUGCO), the applicant at Comanche Peak SES. During the interview, Garde outlined three instances where Region IV and OI allegedly failed to act when notified of wrongdoing by TUGCO.

The first incident discussed by Garde concerned the TUGCO Safeguards Post Construction Verification Task Force which was organized to conduct post construction quality control (QC) inspections at Comanche Peak SES. On the task force were eight QC inspectors, six of which were electrical QC inspectors. The electrical QC inspectors identified numerous deficiencies with electrical construction. Consequently, Comanche Peak SES Construction management began to pressure the Site Quality Assurance Supervisor, Ronald G. Tolson, to stop the electrical QC inspectors from writing deficiencies and accused the electrical QC inspectors of conducting unnecessary destructive examinations.

On about March 1, 1984, because of the complaints by Construction management, Tolson telephonically notified Doyle M. Hunnicutt, Region IV, NRC, that the electrical QC inspectors on the task force were going to be replaced. On March 5, 1984, the TUGCO QC inspectors arrived for work wearing Tee shirts bearing the slogan "We are QC inspectors and are pickers of nits." TUGCO management took no action as a result of this incident. On March 8, 1984, the QC inspectors again arrived for work wearing the Tee shirts. On this date, however, Mark Welch, who had replaced Tolson as Site Quality Assurance Supervisor, detained eight of the quality control inspectors in a room in the safeguards building ostensibly to protect the inspectors from construction personnel. Of the eight QC inspectors detained, four were task force members. While the QC inspectors were detained, their desks were searched and inspection documents were confiscated. One of the task force QC inspectors (GAP witness) who was not detained, twice telephoned the NRC Senior Resident Inspector James E. Cummins and informed him of the detention and search for inspection documents. The QC inspector asked to meet with Cummins to discuss the situation. Cummins did not meet with the inspector and apparently took no action except to notify Doyle Hunnicutt, Region IV, of the situation. Region IV was also informed of the ongoing situation by Billy Ray Clements, Vice President for Nuclear Operations, TUGCO. Clements discussed the situation with Paul S. Check, Deputy Regional Administrator, Region IV. In response to the information, Region IV had a management meeting; however, OI was not included in the meeting. Region IV did not take any action to resolve the incident.

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Investigation on November 1, 1984 at Bethesda, MD File # 85-10  
by George A. Mulled, Jr. Investigator, OIA Date dictated November 7, 1984

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Because Region IV did not take action, Billie Garde telephoned Ben B. Hayes, Director, OI, NRC, during the evening of March 8, 1984, and notified him of the detention and seizure of inspection records by TUGCO. OI also did not act on this information.

A second incident outlined by Garde concerned an inspection conducted by the OB Cannon Company, Philadelphia, PA, a firm contracted by TUGCO to inspect the paint coatings at Comanche Peak SES. In August 1983, OB Cannon inspector, Lipinsky, prepared his inspection report which stated that the paint coatings on the reactor components at Comanche Peak SES was beyond salvage and required complete rework. A TUGCO QC inspector provided a copy of the inspection report to Region IV, OI Investigator, Donald Driskill who, in turn, forwarded it to Region IV. When notified of the results of the OB Cannon inspection, TUGCO applied pressure on OB Cannon to have Lipinsky reword his report. OB Cannon, in turn, applied pressure on Lipinsky. In September 1983, Lipinsky provided Driskill with a memorandum concerning his inspection report and the resulting pressure. On November 10-11, 1983, a meeting was held between TUGCO and OB Cannon concerning the inspection. At this meeting, TUGCO discussed the wording of the report with Lipinsky and OB Cannon and again attempted to force Lipinsky to reword his conclusions. In December 1983, Region IV and Driskill were provided a copy of the transcript of the November 10-11, 1983, meeting. Although aware of TUGCO and OB Cannon's harassment of Lipinsky, Region IV nor OI took action.

The third incident discussed by Garde pertained to the liner plates for the spent fuel tank, refueling cavities, and two transfer canals. Periodically, during the past several years, Region IV has been provided affidavits alleging the liner plates had been improperly installed and that TUGCO had falsified inspection records concerning the liner plates. Brooks Griffin, Region IV, OI Investigator, is also in possession of these affidavits. However, NRC has taken no action concerning this information. Thomas A. Ippolito, Office for Analysis and Evaluation of Operational Data, NRC, has been aware since April 1984 of five individuals in TUGCO management who have knowledge of the liner plate problem and who are willing to discuss the problem with NRC. Region IV nor OI have yet contacted these individuals.

Garde stated that the above allegations have been discussed in detail during recent testimony before the Atomic Safety and Licensing Board hearing regarding Comanche Peak SES and that Judge Peter B. Bloch has indicated the dissatisfaction with NRC's handling of these incidents. Additionally, GAP has gathered many documents, affidavits, and transcripts in support of these allegations. These documents are available for OIA to use in developing our investigation.