

**BEFORE THE U.S. NUCLEAR REGULATORY COMMISSION
PETITION REVIEW BOARD**

In the Matter of:

**2.206 Petition Regarding TVA’s Employee Concerns Program
and TVA Safety Conscious Work Environment**

STATEMENT OF FRANK BAUSEMER

My name is Frank Bausemer. I am a recently retired employee of the Tennessee Valley Authority (TVA), where I was employed as a Senior Quality Control Inspector at the Sequoyah Nuclear Plant since 2011. Before working for TVA directly, I was a contract nuclear Quality Control Inspector for TVA since 2005. I have been a nuclear Quality Control Inspector for the past 35 years, working at nuclear plants throughout the United States.

I have been asked to provide this information to Billie Garde in support of the work that she is doing to improve the safety conscious work environment at TVA and ensure that TVA employees and contractors are free to raise concerns without fear of reprisal. Unfortunately, my experience at TVA has been that retaliation for raising safety concerns has been, and remains, a serious problem with the safety culture at TVA.

In fact, my experience at TVA is that the atmosphere of fear and intimidation is so deeply ingrained in the management behaviors and style that few, if any, employees would be willing to speak up about serious concerns. There is an underlying management attitude of always trying to push the envelope on safety issues that might impact plant operations, pushing beyond conservative decision making, and taking risks and short cuts that erode the margin of safety. This mindset pervades the site culture, and anyone who tries to operate in a different mindset, putting rigor into safety expectations, is beaten down by management actions and attitudes that force conformance, or the employee faces termination or is removed in some other way. These management attitudes erode the commitment to safety first and make a mockery of the safety culture. I don’t know what it will take to change the culture, but I got tired of continually fighting it and retired earlier this year.

My statement today deals with my experiences with the new ECP program and why I have no confidence that the new program will make any difference in the culture or provide any independent avenue for employees to raise safety concerns. After my interactions with the new program, I would not advise anyone to bother with it, as it is just part of the same management culture of covering up the bad news and blaming the messenger for raising concerns.

As a long-term nuclear worker, I am mindful of the fact that there are redundancies in our safety systems and processes – but those redundancies have limits. I fear that as the culture at TVA continues to erode employees’ personal commitment to safety so much that we will erode the redundancies. It only takes two mistakes to breach that safety barrier, and I am afraid that TVA is primed to do just that.

On June 2, 2020 I was contacted by one of the new ECP representatives about a concern I had raised some time ago. The reason for the call, apparently, was to advise me of the details of my closed concern. Unfortunately, all it did was raise even more concerns that the ECP program had simply been an arm [a tool] of management to cover up the original concern that I had raised.

FALSIFICATION OF RECORDS

To summarize my original concern, several months before I retired, I identified a clear situation of a falsified record of qualifications of a contract inspector for the 2015 outage at Sequoyah. I know it is a falsified document, because I was the Level II that preformed the QC Assessment and signed the disqualification record. [Assessment Report SQN-2015-001, dated 03/03/2015] The contract inspector that I assessed failed five of the eight Performance Attributes for a qualified inspector, including Material ID, Sensitivity to Details, and Inspector Knowledge and Technique. I wrote the following on the QC Assessment Report:

- “Findings: The Inspector failed to verify welder qualifications.
- The Inspector failed to verify proper filler material, or materials being welded.
- The Inspector failed to verify that minimum pre-heat temperature had been met.
- The Inspector was not familiar with the welding data sheet usage.
- The Inspector did not know how to interpret the weld design documentation and drawings, enabling him to confirm that the minimum standards for the welds had been met. “

I then filled out the Log Book indicating, and signing, that the contract inspector had failed his assessment. When I reported it to my supervisor, I was told to not include that inspector’s assessment in the Outage Log Book, and to not do any more QC assessments. However, I did log it in, and I did do a few more QC assessments anyway. Notwithstanding my Unsatisfactory assessment of the inspector’s capabilities, the inspector continued to be employed throughout that outage and at the next Brown’s Ferry outage performing safety-related weld inspections.

In the following months I discovered that the Quality Control Assessment Report SQN-2015-001 had been removed from the Outage Log Book containing the records for SQN Unit 1 Cycle 20 Outage. In fact, I discovered that the entry and report had been removed entirely and someone else had signed my name to other inspector qualification reviews conducted at the time. I was

flabbergasted that anyone would be so careless with a document that had been falsified, and leave it lying around.

I immediately reported this concern to my site lead. Nothing happened. Later I reported this issue to the TVA Office of Inspector General (OIG), also providing them with the supporting documentation. To my knowledge no follow-up investigation was conducted by the OIG either. Years later, on April 21, 2020 I received an email, and a phone message, from an ECP investigator asking that I contact him, which I did. He told me that, during a recent interview with another TVA QC inspector, my name had come up in the interview. The investigator told me he'd like to ask me some questions, and that it would only take about 30 minutes. I accepted his request. It was during this interview that I told him about the environment of harassment, intimidation, retaliation and discrimination (HIRD) that exists at TVA and gave him several examples, including the falsified QC welding inspector assessment. He requested that I send him a copy of the cover page of the assessment log showing the falsification, which I provided to him.

I was contacted last week by the new ECP investigator who “debriefed” me on the alleged investigation of my concern. But, instead of providing me the results of any investigation into the falsification of the inspector assessment report, and how and why management engaged in falsification of records, he tried to persuade me that the inspector’s work on the specific weld had been verified as okay, so there was really no problem for me to be concerned about. When I pushed for what happened to the issue that I actually raised, i.e., falsification of records, he said I was not entitled to know the outcome of that investigation. I asked him how would anyone know what actually happened? He told me that anyone who reviewed the report, i.e., the NRC, would know enough to ask for a different investigation than he was briefing me on, and referred to obliquely in the report as ECP Case File EC-CO-2020-005-1. He would not tell me anything about that report.

He told me that the current disposition of this five-year-old issue apparently was to only now document the situation on a CR, that had at the time of my briefing last week, not yet been screened or gone through a management review, to determine any “extent of condition.” Of course, that is important, as an unqualified inspector, who was allowed to continue working, raises significant issues about the quality of the work he inspected and reviewed.

But, my real concern was the intentional actions of management to falsify the documents originally, and the inaction or action of my management to cover up my findings, and push through the outage. The ECP briefing only convinced me that the new ECP program was fostering exactly the type of “cover-up of the bad news” behavior of TVA management that is at the heart of the problem.

FAILURE TO CONDUCT CAVITY INSPECTION AND BYPASSED HOLD POINT

The second example I want to discuss is, again, from an outage some years ago; but reflects the same management attitude that permeates the TVA sites. It, again, indicates that schedule

pressure trumps conservative decision-making and conformance with procedural requirements. This example was provided to the Oak Ridge assessment team as an example of how the hostility towards the truth is wielded in a way that undermines employee commitment to safety, and supports an attitude where employees just go along with management pressures to schedule, no matter what.

In this case, I was scheduled to complete a cleanliness inspection of the reactor cavity during an outage. The cavity Inspection is a “critical path” inspection that impacts further work activity and outage completion. When I arrived to do the inspection, I found that contractors had by-passed a hold point by applying the coating in the cavity before I was able to do the cleanliness inspection. I wrote the violation up on a Service Request (non-conformance report), in accordance with the Corrective Action procedure. Nonetheless, management attempted to blame me for the situation by, incorrectly, stating in a site newsletter that a QC inspector (me) had caused a three-hour delay in the outage. The actions of management towards my compliance with the procedures was intimidating and humiliating. Although an independent investigation into the event, and follow-up report proved that the issue was not “a three-hour delay caused by a QC inspector,” the damage was done. Once again, managements’ reaction to the identification of safety-related findings was hostility, anger, shaming and blaming the person who identified the issue, and ultimately dispositioning the violation as acceptable by once again falsifying the inspection documentation contained in the work order.

There is no question that the Outage Management Team absolutely approved and tolerated by-passing a “hold point” in the outage schedule and allowed the contractors to apply the coating to the cavity before it was inspected for clean up. By-passing a hold point would not have happened without a direction from the Outage Management Team – but no investigation was ever done into who ordered or tolerated that action. Schedule is king at TVA; unless there are any meaningful consequences for Safety being the primary driver, nothing will change.

The new ECP team is designed to be accountable to the line management – not to any independent avenue which will protect actions in documenting employee concerns that expose that same management. Nothing is going to change until there is a truly independent avenue that puts safety and the truth as the highest priority, not just blaming the person who identifies issues.

I hope the NRC understands that the margin of safety is being eroded by this TVA management culture, and takes action to insist that TVA management change its culture – before it is too late.

I am providing this information freely and without any inducement to do so. Since I am now retired, I do not fear intimidation by TVA, but I have no doubt that its reaction to my Statement will be to attack the messenger – it’s the only way TVA management responds to any concern. Its second action will be to try to undermine the concern and change the facts. These behaviors are not consistent with a SCWE.

Dated: June 10, 2020

Frank Bausmer

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