

PREPARED STATEMENT

of

RICHARD D. PARKS

Harrisburg, Pennsylvania
April 22, 1983

My name is Richard D. Parks. Thirty days ago I filed a complaint charging illegal retaliation by my employer, the Bechtel North American Power Corporation, because I raised safety concerns about the cleanup program at Three Mile Island-Unit 2 and spoke with the Nuclear Regulatory Commission. On March 23 the retaliation that I challenged was the stripping of certain key responsibilities I had in the cleanup program. At a press conference that afternoon, General Public Utilities-Nuclear president Robert Arnold and TMI-2 director Bahman Kanga indicated that my future with the company had not been determined. The next day I was placed on an indefinite leave of absence with pay and told that I would be informed of my status within 30 days.

I have been informed that Messrs. Arnold and Kanga were not completely forthright to the public in their press conference. That same morning they led a meeting at TMI about my whistleblowing disclosure. According to an affidavit from a witness who attended the meeting, Mr. Kanga announced that management would have to act carefully due to my legal rights. Instead of firing me immediately, management would just transfer me or place me on a leave of absence

for a month and then get rid of me quietly. At the meeting, Mr. Arnold also said that the controversy was just a flash in the pan that would die down quickly. He added that the Udall Committee in Congress would not follow through and that I would not be invited to testify.

They were both wrong. I will not leave quietly, because I am determined to make a constructive contribution to completing the TMI cleanup economically without gambling with public safety.

There is a lot of work left before we can reach that goal. Since I have not been permitted to return to the Island, I have had time to study my notes and do some hard thinking. As a result, I now believe even more strongly that the polar crane is only an example of a fundamental breakdown in controls on modifications to equipment and components in the TMI cleanup.

For example, I recall that from the accident until December 1980 there were over 1700 modifications significant enough to be formally processed through Engineering Change Modification (ECM) forms. Less than a dozen of these ECM's had the required test data, or quality assurance records, ~~or engineering records of their impact.~~ Those fundamental safeguards had been skipped. Some of the changes were petty. Some, however, involved significant systems in the plant, such as modifications to the decay heat removal system, low-level waste processing system, ventilation system, radiation detection equipment, and waste storage facilities.

I am familiar with this problem, because during late 1980 and 1981 I was part of a team that researched it. In almost every case there was no test data. We wanted to immediately set up a full testing program, but were informed of a management decision with

NRC approval to forego quality assurance for modifications. I deeply hope that this is not true. We invited the NRC to check the test records, but they did not respond to the invitation.

I will provide further details of these and other concerns in my congressional testimony next week. I must emphasize, however, that I would prefer to act on my conscience at the Island, instead of at press conferences and hearings. My goal is to return to my job and TMI and help finish the cleanup properly. I hope that management will let me.

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October 8, 1985

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-PS-700

Rec'd 10-15-85

Director
Office of Administration
Freedom of Information Act
United States Nuclear Regulatory Commission
Washington, DC 20555

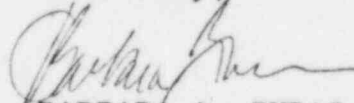
Dear Sir or Madam:

We are the attorneys for Richard D. Parks. Pursuant to the Freedom of Information Act, I am requesting copies of any and all documents concerning the investigation performed by the NRC Office of Investigation (OI) into charges of discrimination and/or harassment made by Richard D. Parks. I am also requesting copies of any and all documents concerning the "notice of violation and proposed imposition of civil penalty" which was issued by the NRC on August 12, 1985. The docket number for the investigation and imposition of civil penalty was 50-320. The respondents in that investigation were GPU Nuclear Corporation and Bechtel North American Power Corporation, license No. DPR-73.

I would appreciate being notified as to how I might assist you in your effort to provide copies of the requested documents. I would also appreciate being notified in advance as to the estimated cost involved in making copies of the requested documents.

Thank you for your attention and anticipated cooperation.

Sincerely,


BARBARA A. ZURAS

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GOVERNMENT ACCOUNTABILITY PROJECT

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March 23, 1983

The Honorable Nunzio J. Palladino
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Palladino:

The Government Accountability Project (GAP) is representing Mr. Richard Parks, a senior startup engineer at Three Mile Island (TMI) - Unit II. Our decision to represent Mr. Parks is based on a 56-page affidavit he provided over the weekend, as well as verification interviews with additional witnesses who supported both his charges and personal credibility.

In his affidavit Mr. Parks discloses, inter alia, 1) safety-related modifications to equipment and components without full prior engineering and approval; 2) quality assurance violations through issuance of test and administrative procedures without prior review and approval; 3) plans to use the polar crane without conducting all necessary safety tests and conclusions; 4) severe harassment and retaliation against those who internally challenged these violations, including investigation and dismissal for utterly pretextual, previously-unrefined offenses; and 5) NRC collusion with the misconduct.

Based on his experience, Mr. Parks believes that these practices were intentional. He also believes that they compromise the system of organizational checks and balances at TMI. The dispute resulted from a management attempt to conduct additional radiation monitoring without falling behind schedule after it was discovered and reported on January 6, 1983 that radiation levels under the reactor vessel are 30 times higher than previously estimated.

We are alarmed that Mr. Parks' experience mirrors that of so many other nuclear workers who have contacted us. He reports that your agency has failed to aggressively pursue his concerns. Instead, NRC representatives violated his confidentiality, flatly refused to investigate his charges of reprisals, and rejected his allegations on flatly inaccurate grounds contradicted both by NRC notes and corporate QA records issued at the same time. Perhaps most disturbing, he reported a practice at TMI for NRC representatives to provide the licensee with advance drafts of Commission documents, and vice versa. After a consensus was reached, the "official" version would be released.

Chairman Palladino
U.S. Nuclear Regulatory Commission

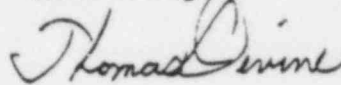
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March 23, 1983

The continuing allegations of NRC-utility collusion are shattering public confidence in the Commission. Mr. Parks, and GAP, want to cooperate with the NRC. As a result, we are submitting his affidavit for your review. Unfortunately, to date Commission representatives have not responded to Mr. Parks in good faith. As a result, we have advised Mr. Parks not to communicate further with the NRC until we can negotiate with the Commission to ensure that objective, independent technical and investigative staff will be assigned to his case.

I look forward to your prompt response.

Sincerely,



Thomas Devine
Legal Director

TD/ea

enclosure

RT-

AFFIDAVIT

My name is Richard D. Parks. I am submitting this affidavit freely and voluntarily, without any threats or coercion, to Mr. Thomas Devine, who has identified himself to me as the Legal Director of the Government Accountability Project of the Institute for Policy Studies. I am submitting this statement to express my personal knowledge and concerns that the management of Three Mile Island-Unit II (TMI) has sacrificed its own system of safety-related checks and balances for TMI cleanup activities in order to meet unrealistic time schedules. In the process, equipment has been modified and snap judgments made without proper engineering analysis, quality assurance (QA) steps have intentionally been skipped and totally circumvented, rules and documents have been changed after the fact to justify QA violations, and those who have defended the normal system of nuclear industry checks and balances have faced pressure, intimidation and retaliation which stripped them of the authority to function as viable members of the management team. I am among those who have suffered this fate. The quality assurance violations include many other issues of which I am aware but do not have personal knowledge.

TMI is not a plant under construction. It is a licensed nuclear plant in a recovery mode from the worst near-disaster in the history of nuclear power. The management of TMI-Unit II from General Public Utilities (GPU) has said that for them the public health and safety comes first. They have assembled one of the

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best-qualified teams of nuclear power personnel in the world to assure that the recovery program is above reproach. At a minimum, the program must comply with all applicable laws and QA rules. We cannot engage in any shortcuts at this plant; they are not an acceptable engineering practice. The consequences to the public health and safety and to the nuclear industry could be too severe.

I am currently employed by the Bechtel North American Power Corporation (Bechtel) as a senior startup engineer at TMI-Unit II. My present duties include work as an operations engineer reporting to the director of site operations and the manager of plant operations. Amongst my other responsibilities before recent reprisals, I served as startup and test supervisor's alternate for Unit II, acting startup and test manager from July 31, 1982 - August 9, 1982, alternate Test Work Group (TWG) chairman, and was certified to perform all Level III activities.

I have been working in the nuclear industry for 12 years, beginning in 1971. From 1971-1977, I was in the U.S. Navy nuclear power program as a Navy instructor for nuclear power plant operations and maintenance, and qualified as engineering watch supervisor with full responsibility for the plant outside of the control room. I have worked as a member of the nuclear projects staff as a control room operator in the construction phase at the Clinton nuclear plant. From 1978-1979 I was a shift supervisor at the Midland nuclear plant during the construction phase and there completed 26 weeks of cold license training in preparation for cold licensing as a senior reactor operator. From 1980-1982 I was a senior startup and test engineer providing consulting services to nuclear power plants under

24

construction or operation, including Beaver Valley power station, TMI-Unit II, and Shoreham nuclear power station. During my first time at TMI-Unit II, from June 1980 to December 1981, I was personally involved with the construction, testing and placing in operation of the submerged demineralizer system (SDS) as both a senior shift test engineer and as acting startup and test manager for the project. Among other duties, I helped to develop and implement the startup and test program for the TMI-Unit II recovery.

The first time I was at TMI-Unit II I worked for NUS Corporation. I was working at Shoreham in January 1982, when I was invited to apply for a job at TMI-Unit II with the Bechtel Corporation, which was taking over an integrated management program. I was told that the Bechtel Corporation needed someone with my experience on the Island to assist in developing procedures to accomplish the "quick look" program, which surveyed with video equipment the rubble pile in the core of Unit II and acquire the data necessary to remove the reactor vessel head. In May 1982, I went back to work at TMI.

Until late October 1982, I felt good about my work at TMI. I was satisfied with implementation of the "quick look" program, which ended late last summer. In September 1982 there was a management reorganization to put Bechtel in charge of an integrated program with GPU for cleanup activities. I was assigned as an operations engineer in the site operations staff, reporting directly to the site operations director and manager of plant operations. My responsibilities included liaison functions with the Nuclear Regulatory Commission (NRC), engineering groups, and plant staff; oversight and review of numerous modifications to the plant and erection of new

systems to determine compliance with applicable standards and operational capabilities; and to interface with various task groups and provide operations input into their activities and ensure compliance with NRC and internal rules. I also worked to research, develop and implement procedures and other software activities for the above projects. To illustrate the scope of my duties, since my return to TMI I have developed dozens of procedures, including test procedures, operating procedures, surveillance procedures, and special operating procedures, among others. Examples would be development of procedures required for the SDS outgassing system, the reactor coolant system (RCS) high point vent sampling, and Once Through Steam Generator (OTSG) draining.

Around November 1982, site operations became involved in the head lift task force (HLTF). There were weekly meetings. Within a few meetings, it was clear to the site operations attendees that there were significant deficiencies with the program to remove the reactor vessel head and subsequent activities to remove the fuel. The HLTF is a consortium of representatives from the reactor disassembly and defueling (RD&D) group, the lead group in the task force; site operations (SO), responsible for interfacing with all matters pertaining to operations of the plant and compliance with technical specifications, regulatory guides and the applicable standards; recovery operations (RO), which serves as constructor; design engineering (DE), responsible for engineering input into issues such as methodology; site engineering (SE), responsible for on-site engineering and interfacing with design engineering; project controls (PC), which handles funding and scheduling; technical planning (TP), responsible to develop the technical plans behind the methodology and to obtain

input from special experts as necessary; radiological engineering (RE), responsible for input on all matters concerning radiation exposure to personnel; recovery programs (RP), responsible for management representation and decisionmaking at the meetings; and NRC, responsible for regulatory oversight.

To illustrate the initial SO concerns, we were alarmed that the polar crane schedule did not jive with the reactor vessel head lift schedule. The polar crane's major jobs are to remove the reactor vessel head, move other heavy equipment inside the containment and to stage any support equipment required to remove the damaged core from the reactor vessel. The polar crane is located at the top of the reactor immediately under the dome.

The reactor vessel head has to be removed to take the fuel out. The core and other internal components had been extensively damaged during the 1979 accident. For example, the top five feet of the core have a rubble pile where there used to be nuclear fuel. The original fuel must be removed and replaced, if the plant is to go back into operation, or removed for decommissioning.

On July 19, 1982, GPU had assigned Bechtel to "refurbish the reactor building polar crane in accordance with the Bechtel containment entry program" pursuant to a July 14, 1982 Work Request, CA25. In other words, Bechtel's job was to restore the crane to its undamaged condition. This work request was deficient in itself. The "containment entry program" covers issues such as personnel protection from radiation. It has nothing to do with engineering functions or design QA engineering documentation.

As L. King of site operations repeatedly reported (LOM 4200-83-068 and 0 there was no integrated schedule to coordinate between refurbishment of the polar crane, the sequence of events to remove the

reactor head, and subsequent activities to remove the fuel from the reactor core. As a result, different groups did not understand what the others were doing or what support they needed.

Our second initial concern was that the plant, plant systems and components had been modified without proper review of the engineering paperwork. One of the basic groundrules for items important to safety is that work be reviewed and approved by relevant engineers plant operations review committee (PORC), QA/QC, licensing, the SO director and the NRC. In most cases, the only review stages that are omitted from items not important to safety are PORC and the NRC. Administrative Procedure (AP) 1043 governs modifications to Unit II plant systems. As I understand the intent, it covers the process for an Engineering Change Modification (ECM), a procedure and form which must be completed for any modifications or replacements of "unlike kind" or important to safety.

At the headlift meetings we learned that ECM's were not consistently being issued to accomplish plant modifications. Instead, "work packages" -- internal Bechtel construction procedures developed on-site -- were being utilized for the modifications. An example included refurbishment of the reactor building polar crane. The guidelines to prepare a work package do not include the necessary requirement to ensure licensee compliance with applicable NRC regulatory guides. Using work packages to refurbish the polar crane could totally circumvent the site modifications control procedure (AP 1043)

It was immediately apparent to SO that plant management made this decision intentionally. At various meetings, top level management representatives repeatedly took the position that the ECM procedure was cumbersome and would force unnecessary schedule delays

due to the time for the detailed review cycle. Top management such as John Barton, deputy site director, James Theising, manager of recovery programs, C. W. Holtman and R. Freemerman of program controls, R. Jackson and R. Rider of Bechtel Engineering, and others stated that as a result work packages would be used.

Our third initial concern was that various representatives at the HLTF meetings were not familiar enough with the relevant Unit Work Instruction (UWI) procedure, technical specifications, site QA requirements, etc., to adequately develop and submit the procedures into the proper review cycle necessary to make these procedures "legal." PORC files contain the documentation to corroborate this claim. An example includes UWI 4374-3891-83-PC-2, the Polar Crane No-load Operational Test, which violates AP-1047, the Unit II test manual.

Another example is UWI 4380-3054-83-R-02 and 4380-3054-83-R-03, both procedures for Reactor Vessel Internal Radiation Measurements. Both the latter procedures address degrading the reactor coolant system boundary, and have a slight potential for altering core configuration, its physical shape. During their initial review, these latter two procedures were signed off by individuals not qualified for the task. Fortunately, these procedures were caught before they were used, and sent to PORC for approval. The steps in these procedures invoke Tech Spec 6.8.2, an NRC-required safety specification for level of review and approval on various systems procedures that address "important to safety" and "nuclear safety-related" systems. The PORC chairman should have specified that the NRC, QA/QC, Rad Engineering, the Manager of PO, and Plant Engineering review and

approve this procedure. Unfortunately, he didn't. On February 16, 1983, he reviewed and approved the procedure without comment. On February 19, 1983, I identified this deficiency to the site operations director, corrected the situation and on February 24, 1983 submitted Site Operations Problem Report to B. K. Kanga, Director of Unit II, by way of SO director, with a recommendation that all personnel involved in the procedure and implementation process receive indoctrination on the requirements and controls for various procedures. The Polar Crane No-load Operations Test had the same type of deficiencies.

SO raised the above and other concerns at the HLTF meetings, but our input was not welcomed. In fact, the meeting minutes only included a small portion of the concerns raised by SO. There was no QA/QC representation in the HLTF, and SO was taking that role. The other representatives didn't like it. To illustrate, at an early January 1983 HLTF meeting, Tom Morris, acting chairman of the HLTF, responded sharply when I pointed out that SO couldn't comply with various requests until procedural steps were honored. He said that instead of "telling what we can't do," I should "tell what we can do." I responded by describing the constraints on me before I could approve the requested actions, and that SO was maintaining the schedule better than other departments. After the meeting, however, Morris told Richard Seiglitz, manager of plant maintenance, that I should be counseled for my negative attitude. I know, because Seiglitz described the conversation to a group of SO members including myself. He added that he responded that he shared my "attitude" and told Morris that I was right.

I have since learned that the concerns raised at the HLTF meetings are representative of a general TMI track record to

continually violate QA requirements, as illustrated by repeated Quality Deficiency Reports (QDR) and the failure to take adequate correction actions. To illustrate, B. K. Kanga recently issued memorandum 4000-83-152, which in part addresses two still-outstanding 1981 QDR's on lack of design verification. It included an attachment, a memorandum from the director of plant engineering, who stated that upper management had made a conscious decision to set aside design reviews of modifications performed after the accident. The director of plant engineering was reintroducing design reviews for any modification performed by his organization. In short, I have learned that non-compliance with QA requirements in Unit II cleanup activities is a longstanding problem.

During the same timeframe at the end of 1982, SO was working on preparation for and commencement of draining the Once Through Steam Generators (OTSG). This kept me extremely busy. It was also a difficult job, because we did not receive engineering direction on how to physically drain the steam generators. They had been working on the problem for over a year. We eventually devised a method with hoses and temporary fittings, received NRC approval, and began draining.

Additionally, HLTF assigned the other operations engineer, Walter J. (Bubba) Marshall and I to develop and oversee between eight and ten procedures on head lift activities.

Toward the end of the year, there was a meeting between Dave Lake, manager of recovery operations, and Larry King, director of site operations, to finalize the comparative responsibilities of construction and site operations to provide personnel for the head lift. As a result, SO was responsible for safety-related work that

invoked technical specifications, regulatory guides, or professional standards.

On January 3, 1983, GPU Corporation, of which GPU-Nuclear at TMI II is a subsidiary, implemented the UWI procedure to govern all work done at all sites in the GPU system. This step was necessary to eliminate an old problem of different departments working under different systems by standardizing procedure development, review, approval and implementation. The UWI did not have any provision for work packages, which generically are construction procedures and are not always consistent with operational QA requirements. The new UWI meant that work packages were obsolete in Unit II.

This was a major policy change and immediately resulted in a major disagreement about procedural requirements and compliance between SO staff members and those of other organizations. SO took the position that the UWI system was now the exclusive authority. Construction (RO) and upper site management (RP) initially continued to insist that all work performed inside the reactor building would be performed with a work package, instead of a UWI. In mid-late January the issue was resolved when RO agreed to attach a UWI cover sheet to its work packages. Unfortunately, this system requires duplicative reviews which contribute significantly to delays in software approval. RO has further attempted to formalize the work package under the UWI.

The conflict originally arose in the first week of January when SO was refused entry into the reactor building to perform valve lineups and set up equipment for draining the A OTSG. RO refused entry because we were not on the two week "look ahead" schedule addressed in their containment entry procedure, a pre-existing

procedure. This was the first entry that site operations had ever had to make to accomplish a task totally under its control. It was due to the SO responsibilities on the head lift schedule. The confrontation delayed our draining of the OTSG for over a week, when RO agreed to allow SO entry.

The dispute over two-weeks advance notice eventually went up to B. K. Kanga. SO informed him that we did not always have the luxury of two-weeks advance notice. In fact, we told him we seldom have more than a day's notice. I rewrote RO's containment access procedure into a UWI that would permit around-the-clock entry for operational personnel, and sent it to Management Services on January 19. The manager of Management Services called me the week of January 24 and said the rewrite of the procedure was excellent and clearly defined for the first time. The UWI has not yet received final approval, however, and the basic conflict is unresolved as of a March 4, 1983 meeting.

On January 6, 1983 there was a major development which began the disintegration of the HLTF program, in my opinion. Memo 4500-83-0125 from Jack DeVine, GPU's site technical planning director, to B. K. Kanga disclosed that there was 30 times more radiation under the Unit II reactor vessel than had been previously estimated. Additionally, the memo revealed that the previous Quick Scan Data was inadequate for this higher radiation source, and did not provide any information about the radiological effect of contaminated support tubes and leadscrews underneath the vessel head. A recent decontamination analysis of leadscrews had suggested they could represent a very significant problem in head removal. I have since been told that the mistake was due to insufficient time to verify preliminary assumptions about the strength of the radiation source.

The memo included a recommendation to alter the head removal plan in order to take into account the higher radiation. At the next HLTF meeting, around January 11, there was a decision to advance the schedule sufficiently to remove selected controlled drive mechanisms (CRDM) and insert more equipment to reverify the new test results. Previously we had planned to remove some CRDM's and acquire more data for activities such as flushing. But the original information on which CRDM's to remove would not be available until January 21, according to a December 28 HLTF meeting. (Memo 4380-82-0072) The January 6 memorandum and January 11 HLTF meeting added a new sense of urgency.

After the January 6 memo there was massive confusion, due to hasty changes in program direction and procedures. The project seemed to be in disarray, with no one individual in control. I will try to reconstruct the events that followed to the best of my recollection.

One problem involved the Safety Evaluation Report (SER) for the head lift. SER's are the documents that inform the NRC of the intentions, methodology, engineering approach and supposed "defense in-depth" to protect against potential accidents. The head lift SER initially had been issued in December. The comments received in the review cycle were extremely critical. In late January a new SER appeared which was substantially different from the original. The revised SER still has not been approved.

Additionally, from the middle of January until early February SO was intensively involved in trying to develop a method to drain the B steam generator. After an in-depth study, the only viable option was to drain the steam generator to the reactor building sump through plastic tubing, instead of design engineer's preference to cut

RP

the steam generator sample line. We took this position, because cutting the sample line would degrade an "important to safety" system and could degrade containment isolation abilities.

However, this decision revived two longstanding hypothetical problems that had to be overcome-- (1) uncontrolled criticality in the reactor building sump due to the suspected presence of fuel in the sump; and (2) uncontrolled criticality in the B OTSG upper tube sheet if the reactor coolant system water level were to be lowered below the upper tube sheet -- a certainty in order to remove the reactor vessel head.

These two problems, although hypothetical, had long been assumed to be credible by the PORC chairman and others, despite the absence of support calculations or other credible analyses. These two assumptions have directly resulted in unnecessary work, expense and radiation exposure to personnel which could have been avoided if the necessary calculations or other analysis had been performed to disprove this hypothetical situation.

The management action to assure that subcriticality would never occur had been to add an administrative requirement that all water added to the reactor building sump would contain greater than 1700 parts per million (ppm) concentration of boron. This concentration of boron was chosen because at one point after the accident there temporarily had been 1700 ppm's of boron in the sump water without attaining subcriticality. So management assumed that level was safe, without calculations. Although management claims this estimate is conservative, there should be calculations or other requirements. An administrative requirement is insufficient to satisfy criticality protection under a "defense in-depth" approach against criticality. There is no method or instrumentation to detect

if the sump is critical or not.

Similarly, in a January 14 meeting on concerns about draining the steam generator (Memorandum 4302-83-0021), SO demanded calculations to demonstrate if there were a threat to criticality in the steam generator tubes. Design engineering had failed for months to supply the calculations. Several weeks after this meeting, however, they returned calculations demonstrating that there would not be a problem.

At the same meeting, SO requested design engineering to evaluate storing the missile shields -- which protect against flying parts resulting from an uncontrolled steam excursion -- only on the A steam generator so that it would not be necessary to drain the B steam generator. The suggestion was rejected, because it could delay the polar crane schedule.

At the January 14 meeting, SO further requested that design engineering evaluate double rigging the crane for missile shield lifts in order to increase the safety margin and minimize the chances of load drop. This request was also rejected because it could significantly delay the polar crane load test.

At the meeting it was generally agreed that there was no way to assure that the surge line connecting the pressurizer to the reactor coolant system would not be broken if the pressurizer missile shield were dropped inside the concrete and steel reinforced structure around the generator. If this accident occurred, it would cause the reactor coolant system to drain to the point where there would be only three feet of water above the damaged reactor core, instead of the normal 16 feet of water from the reactor vessel head to the core.

To the best of my knowledge, design engineering told us at the meeting that load drop calculations had not been performed.

The January 14 meeting was part of a concerted effort to advance the removal date for selected CRDM's from the originally scheduled date in March. Once the CRDM's were removed, the additional surveillance of radiation levels could begin. This effort was at the heart of the confusion which developed, because each new idea affected numerous existing procedures.

To remove the CRDM's required use of the polar crane. At one of the January HLTF meetings, in an effort to see if the confusion was premature, SO inquired whether the polar crane would even be ready for CRDM removal in February. The HLTF chairman responded that he had been assured by the Polar Crane Task Force (PCTF) that it would be ready.

At a mid-January upper-level management Critical Action Item Status Report (CAISR) meeting, Deputy Unit II Director John Barton asked Site Operations Director Larry King why SO was asking questions on the polar crane. Barton said the polar crane belonged to Bechtel. King responded, "That's not written down anywhere." Barton's position was that the polar crane would be turned over to SO when it was refurbished. King stated that SO would then get involved because SO had to sign for acceptance of the turnover, including any modifications to the crane. This prompted a January 20, 1983 memorandum (4200-83-034) stating that the polar crane in fact belonged to Bechtel, and that SO would not be involved in the refurbishment.

In early February in connection with the SER rewrite, management issued for review and approval a new SER on "underhead charac-

terization," a process to reverify the amount of radiation under the reactor vessel head. The plan was to do the characterization at the end of February. Around February 9, SO issued comments. The comments stated that this new SER assumed the use of the polar crane. If use of the polar crane were a requirement, an alternate method would need to be devised. In our opinion, the polar crane would not be available until March 2 at the earliest.

Further, SO questioned the methodology for assumptions about varying water levels in the reactor because of the potential for releases of airborne contamination and radiation. The SER did not reference the lost capability during draindown to perform surveillances required by tech specs, such as heat removal concerns; issues important to maintain subcriticality by keeping the reactor core covered, such as re-flooding the reactor vessel.

Additionally, to my knowledge none of the SER's provided calculations showing protections from the consequences of a load drop under worst case conditions, either for the load test rig, reactor vessel head or other heavy load that could strike the reactor vessel head area. It could be postulated that with sufficient force, core configuration could be altered and the chances of criticality increased. Similarly, such a drop could cause one or more of the in-core instrument guide tubes located on the bottom of the reactor vessel to break due to mechanical shock. Such a break would cause the total draining of all the borated water in the reactor vessel which surrounds the core and this could possibly allow criticality. These guide tubes have been submerged in a

highly-radioactive environment due to the vast quantities of contaminated water that flooded the reactor building in 1979 and was not substantially removed until late 1981 or early 1982.

An accident of this nature, hypothetical though it may be, would require use of the decay heat removal pumps (low head safety injection) to reflood the reactor vessel and hopefully keep the core covered. Unfortunately, to my knowledge, these same pumps have not been run or otherwise tested since the accident, because they are in such a high radiation area. We don't know anymore if they would work or not. Management has not even attempted to decontaminate the area so that the pumps could be tested and available for use in a possible emergency.

Between January 20 and February 10, 1983, the Safety Evaluation Report for use of the polar crane was reviewed by SO. I believe that in all there have been at least three revisions to this SER. On February 10, 1983, the manager of plant engineering sent a memorandum to the SO director (4240-83-111), to whom plant engineering reported. The memorandum stated that the polar crane safety evaluation is technically unacceptable. It added that the crane must be tested prior to any lifts, to preclude reducing the safety margin for the public, damaging safety-related or "important to safety" equipment or resulting in significant delays in the recovery

program. The memorandum went on to recommend that the test load be lowered to the lowest elevation in the containment. This would assure that the full use of the crane were tested. Plant engineering also stated that there should be controls to prevent the crane from operating in untested areas or uncertified or undesirable modes, since particular backup equipment could prove ineffective. To my knowledge, none of these recommendations have been included in the load test. I must emphasize that this decision is within management's discretion, even in the absence of engineering justification.

On Friday, February 11, 1983, Larry King informed SO staff of a meeting between himself, B. K. Kanga and Ed Gischel, director of plant engineering, to obtain his and Gischel's signatures evaluating and approving the polar crane SER. Messrs. King and Gischel stated that they still had significant problems with the whole program. They were those described above, which they repeated. Mr. Kanga then stated that he would take King and Gischel to Bob Arnold, GPU-Nuclear President, to discuss their refusal.

On Monday morning, February 14, 1983, Mr. King informed the SO staff that he had received a phone call from John Barton asking "what the hell" Ed Gischel was

doing writing the polar crane memorandum. Larry King reported Barton's threat-- "I don't need people like that working for me. I'll fire their ass." Gischel and King were told to attend a meeting that afternoon in Rooms 201 and 203 to discuss the polar crane. At that meeting, John Barton held the polar crane load test SER in his hand and asked why they wouldn't sign it. Upon a review of the SER shown to them, King discovered that it already had been submitted to the NRC for approval without SO review, in violation of Tech Spec 6.8.2. Barton blamed the SER problems on the lifting and handling program. This was somewhat confusing since there was no approved lifting and handling program on site. Barton wanted to know why SO was raising problems at the last minute. King stated that Barton should sign it off himself if there were no problems. According to King, Barton responded, "You think I'm going to sign this damn thing with this letter out? Suppose the NRC sees it?"

Later that same day, King and Gischel sent a memorandum to upper management expressing fundamental disagreement with the polar crane program, but recognizing management's authority to proceed as they wish.

On Tuesday, February 15, a meeting was held between B. Kanga, J. Barton, R. Jackson, D. Lake, J. Theising, E. Gischel, L. King, and R. Freemerman of recovery programs. The discussion topic was the functional description of the polar crane, a Bechtel internal document at the time not reviewed or approved by GPU or the NRC, to my knowledge. The functional description stated what equipment on the polar crane had to be refurbished in order to remove the reactor head.

On February 17, SO received the polar crane load test procedure Larry King assigned me to review it. The same day, with Mr. King's prior concurrence, I issued my comments to Mike Radbill, Polar Crane Task Force (PCTF) leader. My central comment concerned lack of compliance with the modifications control procedure, AP-1043, and the test manual, AP-1047, which meant that procedures performed to date were not technically legal. Upper management refused to accept these comments and returned them to Larry King to verify his concurrence.

On February, February 18, Ed Kitler, supervisor of startup and test, caught up with me. I was walking to the office from the parking lot. His mannerisms made it apparent that he was worried and upset. He asked me, "What the hell are you doing?" I asked him what he meant. He replied, "You have upper management pissed off at you, to the point where I've been asked what has to be done to get you transferred off the site." I responded that I was protected against reprisals under 10 C.F.R. 19 and would go to the NRC if any reprisals occurred. We had reached my office space and had entered Larry King's office to continue our conversation. Soon after, Larry King and Joe Chwastyk, manager of plant operations, walked in. In front of Kitler, I repeated to Larry and Joe that I had been threatened with transfer. Larry replied, "It does not surprise me." Ed repeated the original threat and attributed it to Rich Gallagher, an assistant director of site engineering who also performs various other functions for top management. I was visibly upset. Kitler added that I shouldn't take it so seriously.

I felt personally threatened and that same morning asked Phil Grant of the NRC's Office of Nuclear Reactor Regulation (NRR) how to report a reprisal threat. At Phil's advice, I spoke with and met Joel Weibe of NRC Inspection and Enforcement (I&E) later

that day. I requested confidentiality, which Weibe said would be granted unless it was "absolutely necessary" to release my identity. I repeated the previous events of the day and asked what could be done to prevent a transfer. He replied that the NRC "would take a dim view" if I were suddenly transferred, and there probably would be an I&E investigation. Otherwise, he did not offer advice or assistance.

February 21 was a holiday. On February 22 I received a phone call from Charlie Hansen, who reports directly to Jim Theising. Hansen asked me to attend an 11:30 a.m. meeting with B. Kanga to discuss my comments on the polar crane. Hansen's main item of interest was my first comment on the test procedure, that it was an unreviewed safety question and therefore reportable under 10 C.F.R. 50.59. I stated that this issue was better handled by licensing than at the departmental level.

After this conversation, I asked Larry King if he had been invited to the same meeting. He said no, but he would attend despite having to cut short a previously-scheduled meeting. Around 11:00 a.m. Hansen called again and moved it up to 11:15. When I arrived around 11:15-11:20, the meeting was in progress. Kanga, Theising, Freerman, Lake, Hansen, King, Chwastyk and Jim Larson of licensing were in attendance. If I hadn't asked Larry King about the meeting, I would have been the sole SO representative. Mr. Larson had already come and gone after reporting that he didn't know about the 50.59 issue and the lawyers were looking into it. Mr. Kanga stated early that he had to catch a plane. The meeting accomplished nothing. SO explained how the load test and polar crane refurbishment program violated site administrative procedures

- 22 -

due to the violations summarized above of AP-1043, AP-1047 and an unreviewed safety question. Kanga and the others disagreed. Ron Freemerman stated that there had been no replacement of unlike kind in the refurbishment process. Theising stated that no one had the time to read all the administrative procedures for daily business at Unit II. I replied, "I know four people here that have found the time not only to read them but to learn them." Larry King added it was clear that those disputing the procedures had not read them. There was no denial. I stated that if management were not familiar with the procedures, they should get QA involved to see if they applied. I pointed out that I had extensive experience in the startup and test department, and had gone through at least two QA audits and one I&E as-built audit. As a result, I knew what the auditors looked for and that the load test program as presently constituted could result in substantial violations and a possible citation. I also stated that I was still the alternate startup and test supervisor for Unit II and did not want to have to resolve audit findings.

Kanga ordered Larry King to appoint a test director for the polar crane. Larry took exception. He said that SO would then be legally responsible for all consequences of the test. That would be inappropriate since SO had not been involved with the refurbishment process and prior tests of the polar crane.

The meeting was adjourned with no resolution. Kanga did issue two directives. First, Larry King should appoint a test director. Second, Jim Theising should arrange another meeting, this time with QA also in attendance, to discuss the applicability of AP-1043 and AP-1047 for the entire polar crane refurbishment and test program.

I have since learned that Larry King, other members of his family and Benjamin J. Slone, a personal friend of mine employed the Shoreham Nuclear Power Station in New York, that evening received unsolicited phone calls from a "Mr. Blizzard," who identified himself as a Bechtel employee out of Gaithersburg, Maryland. Larry was out and did not receive the call. The others did. (This was the first time Mr. Blizzard had called. Around a week earlier I had called for Larry King at work and left a message that he was an old friend.) The substance of the calls was that Bechtel wanted to reach either Ben or Larry to offer a consulting job at TMI-II. It should be explained that Ben Slone and Larry King had formed their own company, known as Quiltec, sometime in 1981.

On the morning of Wednesday, February 23, Ben Slone telephoned for Larry King. Larry was unavailable and I took the call. Ron asked if I knew a Mr. Blizzard and explained the previous day's events. He asked what I thought of Bechtel offering him a contract at TMI. I said that in my opinion the whole deal stank and sounded like a trick. If I were him I wouldn't have anything to do with it.

I have since learned that Blizzard tried several more times to get through over the next few days. I know that Larry's wife bawled Blizzard out for asking prying questions. She told me.

Later that day I attended a meeting in B. Kanga's office, along with John Barton, Jim Theising, Ron Freemerman, Ed Kitler, Mike Radbill, Larry King, Dave Lake, Joe Chwastyk, Blaine Balla, QA manager, and Joe Marsden, QA/QC. This was the meeting with which that Mr. Kanga had ordered the previous day. Ron Freemerman opened the meeting by stating that he had read AP-1047 the night before and it didn't apply to what we were doing on the polar crane.

Freemerman handed everyone a copy of the Construction Department Project Instruction CDPI-20, "Control and Documentation of Work After Release from GPU to Construction," issued September 1, 1982. He said that everyone, including SO and QA, had agreed to this document last year to govern all work performed by all Bechtel construction crews, including those on the polar crane.

Ballard asked who in QA reviewed and agreed to it. Freemerman didn't know. The CDPI is an internal Bechtel procedure for work packages. It had never been reviewed and approved by GPU. I had never seen it before; Larry King later told me the same thing. Further, there were no signatures on the procedure cover sheet for GPU review and approval. That in itself was a violation of both AP-1043 and AP-1047. Ballard added that no one in QA would have approved CDPI-20, because of §4.1.3 of the procedure:

This procedure replaces the GPU controlled TMI Unit #2 procedures for control and documentation of work performed by construction after release by GPU to construction.

The provision overrode the entire GPU system of QA controls on work and documentation. It was a direct violation of the QA recovery program, as well as AP-1043 and AP-1047. Additionally, CDPI-20 circumvented the entire review and approval cycle. Freemerman then asked everyone in the room to review and approve CDPI-20 on the spot. Ballard and SO both deferred and agreed to review it further. To the best of my knowledge, it is not yet approved.

I took exception to Freemerman's position about AP-1043 and AP-1047. I explained that the modifications and refurbishment programs both had to comply with the site QA Manual. I reminded him of my experience in the test program at the Island, and that in my

current role as alternate startup and test supervisor I was still responsible to identify potential QA audit deficiencies.

Jim Theising interjected to inform me that I no longer had to worry about that. He had issued a memorandum that day or the day before appointing a new alternate, thereby relieving me. The new man, Dwight Walker, had been on the Island less than six months and had little or no knowledge either of the testing manual or the modifications control program. He later admitted this to me at a Test Work Group (TWG) ^{AP} meeting. Further, Ed Kitler had only been startup supervisor since September and did not have a good working knowledge of the test manual.

Returning to the February 23 meeting, I suggested that the issue was whether the polar crane load test procedure was a functional test procedure or not. A functional test procedure demonstrates the total, integrated capacity of a system or component to operationally perform as designed, before releasing it for unlimited use. Under AP-1043 and AP-1047, if it were a functional test, it would have to go through the turnover process and through site operations prior to the test.

Management was visibly upset. I suggested that the polar crane load test could be classified as a construction test, which could be performed prior to turnover. Freemerman asked if we would still have to perform another test after turnover to satisfy the functional test requirement. I said either we'd have to perform another functional test, or else have the Test Work Group review and approve the procedure prior to turnover. TWG could evaluate the load test procedure as the equivalent to a functional test.

The TWG officially is a review group utilized as a management

tool to see that there is testing, operational and program review for all test and modification procedures to ensure compliance with all legal requirements. The members must satisfy ANSI N45.2.6, the professional standard for qualifications of test personnel. TWG's are an established practice in the industry to see that reviewers knowledgeable of legal and professional codes evaluate all test and modifications procedures. To the best of my knowledge, the TWG had not been used to review testing since September 1982.

Before the February 22-23 meetings, Ed Kitler was chair and I was alternate chair of the TWG, due to our same respective positions as startup and test supervisor, and alternate. Others included Bill Conaway, manager of radwaste shipping and disposal, Larry King, John Fornicola of QA, Rich Brownwell of site engineering, and Ron Warren of plant engineering. Prior to that time the TWG had been effective and independent. Its worth had been proven in the SDS project in 1980-81, a full blown test program conducted under intense scrutiny. I do not recall any commitment at the February 23 meeting to reconstitute the TWG.

The original reason for the February 23 meeting was to seek QA input. Blaine Ballard asked Mr. Freemerman if there were any replacements of unlike kind. Freemerman then admitted there had been dissimilar replacements. This contradicted his position from the day before. Ballard then concluded that the program was in violation of the QA Manual and a Quality Deficiency Report (QDR) probably would be issued. QDR's are quality records, but they are issued and resolve by the same people responsible for the original violation. As a result, I was not confident that the loophole had been plugged, despite Ballard's support. It was doubtful that those

who circumvented AP-1043 and AP-1047 would change their minds and overrule themselves, as has since been confirmed.

At the end of the meeting, it was agreed that QA would perform an engineering and administrative compliance review of all work packages for polar crane modification and testing. The PCTF would get the work packages to QA by Friday, February 25 or Monday, February 28 at the latest. Mike Radbill promised to work throughout the weekend if necessary.

On Thursday, February 24, Kanga, Theising, King and possibly Chwastyk had a meeting to resolve the serious programmatic differences about the containment entry procedures, which I had written in January. (Supra, at 11.) The meeting lasted from 1:00-3:30 p.m. when the participants left to attend a fire safety meeting in Room 209 that began at 2:30.

Larry King discussed the first meeting with SO staff. He said they had not gotten past page one. Theising had stated that the document I reviewed and modified was the wrong version of the procedure, which had been revised already. This was empirically wrong, as I was later informed. I had worked on the latest version. The main substantive dispute centered on SO's contention that work in containment was under the direction of the shift foreman in overall charge of the containment. RP's position was that the individual entry or task supervisor at the relevant section of the containment would control entry. These individuals were not always licensed operators. The dispute was not resolved.

Also that afternoon, Larry appointed me as the SO primary TWG member.

At approximately 5:00 p.m. that afternoon, John Barton approached Larry King and asked him if he was the president of Quiltec.

Larry said he was. At that point, Barton lifted Larry King's badge, informed Larry that he was suspended without pay for conflict of interest, and escorted him off-site. I believe that King told me Barton identified GPU-Nuclear (GPU-N) President Bob Arnold as the source of the suspension order.

It is significant that Larry King had not made any secret that two weeks before he had requested a meeting with a Mr. Clark, vice president of GPU-N, to discuss with Clark his safety concerns about the way work was being conducted on the Island. Clark had agreed to meet Larry on-site on February 25, 1983, the same day of the suspension.

That evening Larry King asked me to go with his secretary Joyce Wenger to collect Larry's personal effects from his office. Joyce had to come because I wasn't sure what belonged to Larry. When we arrived, we saw Carl Hrbac of plant engineering, who was working late. We all started packing Larry's personal effects in boxes. As I started to leave the office with a box, a guard and another individual in street clothes approached and asked what we were doing. We told the guard that we had to pick up Larry's personal effects, because he wasn't allowed on the Island. The guard replied that on John Barton's orders no one was allowed in Larry King's office, nor was anything allowed out. His hand was in the vicinity of his gun, but the guard was very polite. I said, "Well, you don't argue with a man who has a gun." We returned the boxes. We also asked if we could call John Barton and he agreed. Joyce called and asked permission to remove Larry's personal things. Joyce later said Barton refused and explained he couldn't know that we wouldn't steal GPU property. Joyce broke down in tears and asked

again. Barton again refused, and we left.

The next morning, Larry's office was locked shut. The guard had told another worker, John Perry, that he had been making rounds every 15 minutes and no one could enter the office except Barton and Chwastyk.

At approximately 8:00 a.m., Chwastyk arrived at work. John Barton came and motioned him to Larry King's office, where they held a closed door meeting for a half hour. Barton left without a word. Chwastyk then assembled the SO staff and announced that Larry King had been fired for conflict of interest. Chwastyk added that he was now the acting director of SO and no one could remove anything without his prior permission from Larry's office.

Later on that same Friday, February 25, Joe Weibe of NRC asked me to meet him at the NRC office on-site, where he took me to see the senior NRC representative, Lake Barrett. Mr. Barrett informed me that NRC I&E had inspected the polar crane over the last week and could find no problems. He said that an I&E investigator had gone unannounced to Bechtel in Gaithersburg where he demanded and received calculations for the load drop test. If I wished, I could request a special investigation by the NRC's Office of Investigations. I replied that I would wait until the results were in from the new QA/QC review.

I also asked about a statement I had heard the previous week from SO staff that the NRC was investigating Bubba Marshall and me for our attitudes at the head lift meetings. I added that there seemed to be widespread knowledge that I had come to the NRC. Barrett did not respond to either issue.

Barrett and I also discussed at length the firing of Larry

King. I expressed my belief that Larry King had been fired for raising safety concerns. I added that I felt similarly vulnerable, because I had raised the same type of issues as Larry and Ed Gischel. Gischel had received similarly intimidating treatment. Shortly after his February 10 memorandum disapproving the polar crane procedures, GPU sent him a certified letter directing him to go to the company's Stress Control Center to be evaluated by a company-paid psychiatrist. I believe that he has not yet had the examination. With respect to my fears, Barrett said that NRC could not do anything until the action occurred.

At 8:00 a.m. on Monday, February 28, Mike Radbill of PCTF told me of a meeting to be held at 9:00 in Mr. Theising's office. I called Theising and offered to attend. Ron Warren of plant engineering and I both went to the meeting. Others in attendance included Theising, Lake, Radbill, Hansen and Ken Pastor of GPU. The meeting was to inform the attendees that on Saturday, February 26, Bob Arnold, GPU-N President, had ordered a blue ribbon readiness review committee (RRC) assembled to review the polar crane. The RRC would include Kanga, Arnold, Barton, a Mr. Long, Mr. Heward, and others. These men were all top-level GPU corporate management, except for Kanga.

The February 28 meeting was to identify items for the RRC. We identified engineering; the polar crane SER, which I contended only covered the head lifts and needed to include miscellaneous crane use, and light load special shape load drop analysis; internal review of action statements and related issues; reasons for limiting QA/QC involvement; NRC review and investigation of the polar crane; and why there was an engineering decision not to load

test the rigging. This list comes from Ron Warren's and my notes of the meeting.

The minutes prepared by Ken Pastor, however, do not include all these items. Pastor's version said there were only a few small plant maintenance comments that still need to be resolved. His minutes concluded that "[o]nly NRC approval should be necessary and this should go quickly since NRC comments are already available and should be resolved by the time it's [the polar crane operating procedure] submitted to the NRC." Pastor's minutes accurately reflected these statements, which represented the management position at the meeting. (In my mind, they also demonstrated some collusion with the NRC, which was reviewing procedures before they had all internal review comments resolved.) But Pastor's minutes ignored the points raised by SO. I believe that the minutes do not accurately reflect the entire scope of the meeting. The omissions disguise the serious nature of the problems that RRC should consider.

After the meeting had adjourned, Jim Theising asked Ron Warren and me to stay behind. He asked, in a fatherly manner, what management could do to smooth over the growing split between SO and the other organizations. During our conversation we told him that Larry King was well respected and loved by his employees, because he always backed them up. We told Theising that there was a general opinion on-site that SO was a bunch of malcontents, and an unnecessary evil. Theising said that until the Larry King incident, he had decided to fire one person per month in order to curtail interdepartmental squabbling over ancillary issues. Now he didn't know how he would handle interdepartmental disputes.

Theising also stated that it was a second or third level SO supervisor who had gone to the NRC, and he could see why certain people would be afraid of a transfer. This made me believe the NRC had violated my confidentiality.

After the meeting, I received a memorandum with formal responses to my polar crane comments (10M 4370-83-1019). In the cover letter, Dave Lake stated that Mr. Kitler had reviewed and concurred with Lake's comments. The essence of the response was that AP-1043 and AP-1047 do not apply to the polar crane load test procedure. The response also rejected my comment that the performance of the test could create an unreviewed safety question under 10 C.F.R. 50.59 due to an increased possibility of a Loss of Coolant Accident (LOCA). LOCA's are covered under the FSAR, although the polar crane isn't. To date, the polar crane has not been load tested.

On March 1st, Joe Chwastyk and I responded to Lake and Kitler's comment resolution (10M 4200-83-102). In the cover letter, Chwastyk stated that SO did not agree with the resolutions and had verified our position with Mr. Ballard. The cover letter concluded that SO "cannot approve the Polar Crane Load Test Procedure until these differences are resolved." The attached rebuttal to the comments resolution deferred to Licensing on the issue of an unreviewed safety question. Otherwise, the SO rebuttal cited the specific requirements of AP-1047 to show they applied.

Also on March 1, Chwastyk and I issued a memorandum (IOM 4200-83-105) referencing the continued confusion over applicability of AP-1043 and AP-1047. We summarized Ballard's February 23 position that compliance is mandatory. We offered four suggestions to help resolve the issue:

1. Test Work Group review and concur that all testing performed to date was adequate for satisfying intent of required testing.
2. Test Working Group review modifications performed on Polar Crane to determine if necessary testing had been identified/performed.
3. Implement turnover process for the Polar Crane less the performance of any remaining testing. This testing should be identified as an incomplete work list item from the cognizant department. Any deficiencies in the refurbishment program would be identified by this process and adequate resolutions could be addressed.
4. Test Work Group issue memorandum to TWG Files identifying inconsistencies/deficiencies, to date, and necessary steps implemented to prevent recurrence of program violations.

We added that AP-1043 and AP-1047 had not been incorporated primarily due to lack of familiarity with the procedures and suggested that TWG personnel be made available to PCTF personnel for indoctrination.

To date, there has been no formal response to the March 1 memoranda. B. Kanga was on the distribution list for both memoranda.

Late on March 1, SO staff attended meetings on head lift activities and the RCS draindown. When we returned, our secretary Joyce Wenger was visibly upset. She said Barton had called her to his office and accused her of xeroxing and taking to Larry King a memorandum that had been missing the day before but reappeared on the morning of March 1. Barton also accused her of making derogatory comments about himself and Bob Arnold. She later told me that Barton called her that night around 6:00 p.m. at home and told her to stay there until the investigation was over. Since that time she has told me of enduring many interviews and interrogations by GPU personnel department representatives, who have always had one or

more individuals with them that Joyce did not know. The meetings have been held off the Island and covered humiliating personal subjects which are irrelevant to Ms. Wenger.

On March 1 I also issued an SO "Problem Report" addressing PORC's approval of the polar crane no-load operational test, despite failure to comply with AP-1043 and AP-1047. I explained that this represented a serious problem with one of the installed checks and balances of the TMI recovery program. It is significant that B. Kanga receives a copy of all SO Problem Reports. I have not yet received a response.

On March 3, there was a meeting in Room 209 with the following members -- Theising, Ryder, Jackson, Siglitz, Lake, Larson, Marsden, Nick Kazanas of QA/QC, Freerman, Radbill, Hansen, Gordon Clements of Safety Review Group/PORC, and myself. The meeting was to discuss a polar crane presentation dry run for the RRC. The presentation was scheduled for 8:30 a.m. on Saturday, March 12. Theising asked why Gordon Clements and I were at the meeting, since we were not invited. Dick Siglitz replied that I was his backup for the presentation on operator training, and Dick did not know if he would be back in time on Saturday for the presentation. Mr. Clements explained that he was a member of the Safety Review Group and was interested in the polar crane.

The meeting continued in an effort to establish an agenda for the presentation. Items included the technical approach to the crane, and why the original \$5-10 million projected refurbishment program had been scaled down to a \$2.5 million program. Jackson stated that the program had been cut at the personal direction of

B. Kanga, and not always with technical justification for the deviations. There was no response.

Based on my notes, when the issue of the SER arose, Theising said the items discussed should primarily include load drops, travel paths and accident consequences. He continued that the presentation should say that we think it's a good crane, the probability of a load drop is low, the consequences are acceptable and the most likely problem would be an industrial safety accident. He added that there should be a presentation of why the structural nature of the crane and the hook are covered by QA/QC, but the cable that lifts it is not. He did not offer any justification, but the reason to exclude the cable was clear to me: it was too late to fully inspect the cable without removing it completely from the drum.

I raised a question about the safety classification of the polar crane cable, explaining why the whole apparatus was important to safety. Mr. Theising replied that only the structure of the crane was important to safety, and that only a person of limited intelligence would think otherwise. I took exception, explaining that the situation changes once the crane is attached to the head -- its design function. At that point, the entire apparatus including the cable which holds the head is performing a safety/nuclear safety-related function. In retrospect, I feel even stronger about this position in light of the damage already done to the core. At this point we can ill afford to take any gambles that might diminish our protection against criticality.

The meeting adjourned with a final agenda established in the manner originally presented by Theising, without any significant changes. After the meeting Gordon Clements told me that the comm:

about limited intelligence was aimed at me. I agreed. Gordon also stated his view on the polar crane, which was consistent with SO's position. We also discussed why PORC chair George Kunder was not stopping the violations. Gordon responded that on several occasions Kunder had refused to get involved with the dispute. In a subsequent conversation, SRG member Jim Floyd confirmed that Kunder did not want to get involved.

George Kunder's unwillingness to get involved did not surprise me. It was not the first time Kunder had refused to challenge questionable management conduct, regardless of the issue. His key position as chair of the PORC/Safety Review Group is inexplicable. It is a common belief among various members of the SO staff that Mr. Kunder was the "mystery man" who ordered the safety injection pumps turned off during the March 1979 accident. This mistake was responsible for a great portion of the damage. By stopping the flow of coolant, this mistake had prevented cooling of the core.

On several occasions Joe Chwastyk and shift supervisor Bernie Smith identified Kunder as the mystery man. One or the other have identified Kunder to Larry King, Joe Smith of SO staff, John Perry of SO staff, John Auger of tech spec compliance, Joyce Wenger and myself. I also believe the following people have knowledge that Chwastyk or Smith had identified Kunder as the man who shut down safety injection pumps, because they were told about the same story in discussions that I also attended-- Bob Gummo, a procedure coordinator for Unit II; Bob Ryan of site engineering; Bubba Marshall; Ron Warren of plant engineering; Lee Rogers of Babcock & Wilcox; and possibly Ed Kitler, whom I believe was once involved in a conversation about the topic with Bubba and myself.

On at least two occasions since Christmas that I can recall, I have become frustrated in my dealings with Kunder and stated that I was thinking about writing a letter to the local newspapers identifying him as the man who shut down the safety injection pumps. On each occasion, I was upset that Kunder was only making biased and cursory reviews of the RO and RP management proposals. I believed that he was ineffective as the PORC chairman. On each occasion, Joe Chwastyk was in attendance when I spoke about revealing Kunder's role. Each time, Chwastyk talked me out of it. He made statements to the effect that "it would not be good for any of us."

Others in attendance when I made these statements included Larry King and Joyce Wenger. All three of us have suffered systematic reprisals during this timeframe, while Chwastyk has not.

Before the March 3 "dry run" meeting, there had been a meeting between NRC and Bechtel management to discuss the use of a five-ton hoist attached to the main hook on the polar crane. The existence of the NRC meeting had been revealed earlier in the day at the "dry run" meeting. Theising had rejected my suggestion of more TWG input by explaining that he could fill out a Procedure Safety Evaluation and use the crane. He said that the NRC had concurred with use of the five-ton hoist at a meeting earlier in the day.

That evening Larry King called me at home. He was concerned that the NRC may have compromised my confidentiality. Larry said he had spoken recently with a Mr. Christopher of the NRC Office of Investigations (OI). King recounted to me that Christopher said he was not fully aware of the problems on the Island, had not been in

contact with I&E on the Island, and wanted to know Larry's safety concerns. When King started, Mr. Christopher asked if these were the same concerns being voiced by Rick Parks. Larry recalled that Mr. Christopher dwelt on this question. This reinforced my opinion that the NRC had compromised my confidentiality and was continuing to compromise it. I believe this is a violation of 10 C.F.R. 19.16.

Larry also recalled that previously Mr. Christopher had called him and desperately wanted to meet. Christopher said if he didn't meet with Larry by Friday, March 4, he would be fired. Larry said he couldn't meet, because he had to go out of town. Christopher asked King if he were going to the Shoreham plant. King asked why he wanted to know. Christopher replied that they were going to have an inspector at Shoreham to investigate the GAP concerns and said he (King) knew of GAP, didn't he? King said no, and they'd have to meet when he returned to town.

On March 4, I attended another meeting on the containment entry procedure dispute. Bill Kelly, manager of management services, and Charlie Hansen of RP also attended. We were unable to resolve the major portions of the dispute, because Hansen stated he did not have authority to override the personal preferences of his boss, Mr. Theising.

Also on March 4, the first Test Work Group meeting was held (10M 4345-83-0005, March 7, 1983). The meeting was held to discuss the following polar crane procedures -- load test procedure; review of all data given to QA/QC; and the results of the early February no-load test. QA stated that all deficiencies found by their review would result in one QDR. They listed five modifications that were

not made in accordance with AP-1043--

- 1) trolley power and control bypass system;
- 2) installation of 200 amp fuses in the main disconnect in the cab of the polar crane, instead of 300 amp fuses;
- 3) new festoon cable and pendent station, from which the crane is operated;
- 4) installation of two mounting brackets for the jib crane on the trolley, which allows the load to be moved in a parallel direction; and
- 5) installation of a temporary air supply on the crane.

I believe that these items were not addressed in the polar crane safety evaluation.

John Fornicola of QA also stated that his manager was contemplating a stop-work order on Unit II, because Recovery Operations had established a trend of noncompliance with site QA procedures based on repeated previous violations of this nature. Fornicola added that the QA manager would not make a decision until he could make his presentation to GPU-N President Bob Arnold at the RRC meeting. It is significant that nothing in this paragraph is included in the meeting minutes, which were prepared by my replacement as alternate startup and test supervisor, Dwight Walker.

Also at the meeting, I identified various open items of the no-load test procedure which were ambiguous. It was not clear whether the limit switches had functioned properly -- or at all -- during the test. Limit switches are automatic self-protection devices that prevent the crane from self-inflicted damage.

Along with others, I raised numerous additional concerns. For instance, I asked whether the crane had been used yet to lift

any loads. Mike Radbill assured me that it had not. In fact, however, it was scheduled to be used in a few days, on March 7, to lift and move structural steel despite the absence of any load tests. The crane in fact was used on March 7.

I also asked whether any further modifications were expected on the crane. Mike Radbill noted that design engineering had directed RO to install "dummy fuses" instead of the 200 amps fuses which already represented an improper modification. It is very significant that dummy fuses cannot interrupt or shut off power to the polar crane. It was agreed that an ECM would be necessary for the modification. For the sake of expediency, however, Rich Gallagher of site engineering agreed to provide paperwork under AP-1013, the electrical jumper and lifted lead procedure, in order to legally perform the modification prior to ECM approval.

Also as a followup issue, TWG agreed to review the load test procedure for technical content only. Noncompliance with QA issues would be deferred to upper management for resolution.

On March 7 and 8 I was out on sick leave. When I returned I learned that the NRC had issued a letter to management addressing nine concerns and inconsistencies between the procedures in the approval cycle and the various safety evaluations also in the cycle. NRC said these concerns could result in a citation. The issues involved draindown of the reactor coolant system in order to work on and under the reactor vessel head.

This situation occurred because of-- (1) the numerous SER changes and issuance of new SER's to expedite work and avoid delays due to problems identified in previous SER's; (2) management's decision to scrap the troubled SER for underhead characterization

of the reactor vessel head and replace it with the "Quick Look" SER used almost a year before. The problem is that the conditions in the Quick Look SER were no longer compatible with the new conditions in the plant, such as water levels. Also the previous SER did not cover certain prerequisites for underhead characterization, a much more intensive program than Quick Look. The whole reason for underhead characterization was that Quick Look stopped several steps short and therefore underestimated the radiation levels. Yet management wanted to use an identical SER for both programs. The NRC was also partially at fault, since it was reviewing draft procedures which had not completed the review and approval cycle. On February 25, Lake Barrett of the NRC had told me the draft review process was at Barrett's own initiative, volunteered to B. Kanga. It was an attempt to help GPU shorten the review cycle and meet their schedule. But the shortcut backfired.

When I returned March 9, I also contacted John Fornicola of TWG and QA. I expressed my concern that TWG should reconsider our position on use of the polar crane prior to the load test. Our position had been that TWG would not have to approve use of the polar crane to move loads when there was an auxiliary five-ton hoist attached to the main hook. I now thought that any procedure which used the polar crane for any load should be written, performed and evaluated as a test procedure. I asked Fornicola to consider my opinion from a QA standpoint to assure compliance with AP-1047. Fornicola said he would consider the idea, and his initial reaction was that I was right.

The issue of the polar crane continued to bother me, and I did more research for my decision as a TWG member on whether to approve the load test procedure. I reviewed the following-- (1) 10M 4370-83-2014 from Dave Lake to design engineering requesting the evaluation and acceptability of using the Unit I load cell rigging to move components in preparation for the polar crane load test; and (2) DERO-0064-file 0290/8420, the response to the above item which said the rigging was compatible except for one component. This memoranda suggested management realized that it could create problems to use lift rigs equipment which had not been load tested. As a result, alternative equipment was finally being considered.

A third memorandum I studied was 10M-6110-83-039 from Blaine Ballard to B. Kanga (February 23, 1982) on the polar crane safety evaluation. Mr. Ballard made two particularly significant comments:

- "1) The load test should qualify the same length of cable that will be required for head lift; and
- 2) Load testing of the fabricated load test frame prior to Polar Crane load test has not been addressed, although all other rigging components have."

A fourth memorandum, DERO-0063-file 0290/8190, was from design engineering to Recovery Operations. This memo called for the installation of dummy fuses in the polar crane disconnect. Design engineering said that fuses are not required for cable short circuits or overloads, since a 225 amp breaker that powers the crane would provide this protection.

A fifth document that I reviewed, 2-M72-MH02 (September 20, 1982), was the polar crane functional description. To the best of my knowledge, this document had never been reviewed and approved for use, except by Bechtel. It was a key document. It specified which

items would have to be refurbished or replaced in order to recertify the polar crane and remove the reactor vessel head.

A sixth memorandum that I studied, 10M 4370-83-2016 (February 18, 1983), was the crane maintenance and inspection checklist. I found that the data in the checklist was ambiguous and could not demonstrate that inspection results were satisfactory. I also showed this document to Bubba Marshall and Jim Floyd of the SRG to see if they could make any more sense of it than I could. They couldn't.

Another document that I reviewed was ECM S-1017, on installation of temporary power for the polar crane. This ECM installed 2/0 welding cable instead of 2/0 power cable to the reactor building polar crane. I had discussions about this substitution with Jack Lawton of plant engineering; Lou Snyder of RO; Gordon Clements of PORC/SRG; and Pete Grandi of Catalytic Construction, a Bechtel subcontractor on the job. We all agreed that we didn't like it, because it was unsafe and poor engineering practice. Pete Grandi also told me the 225 amp breaker described above would be replaced with a 250 amp breaker.

I do not believe that the modifications and concerns described above were listed even generically in the February 18, 1983 polar crane load test SER (10M 4410-83-L-0037). Based on my previous conversations, it is generally agreed that each single modification is not significant in itself. But they each weaken the electrical circuitry protection. As a result, we also agreed that taken in combination they could significantly increase the chances of an electrical malfunction or failure. This is a special concern due

to the recent failure of safety-related breakers to function on an open signal at the Salem nuclear plant.

At home the evening of March 9, Larry King called again. Sometime on March 9 Larry had spoken with Bob Arnold. Larry was concerned that Arnold was attempting to implicate me with Quiltec in order to fire me as well. King told me that after his suspension he had been ordered to respond formally to the Quiltec charges. Part of the response was to include every member of GPU and Bechtel management who knew of Quiltec before February 14. In his response, Larry named Joe Chwastyk and Ed Kitler.

I asked Larry why he had even talked to Arnold after he had been fired. Larry responded that the day after he was escorted off site, his suspension was upgraded so that he remained on payroll. On March 16 he eventually was fired with March 23 his effective last day as an employee.

Returning to the issue of my involvement, King recounted that Arnold had not said anything as he reviewed the written response, until he came to the question about those with prior knowledge of Quiltec. Then Arnold asked, "What about Parks?" Arnold continued to dwell on that issue for the remainder of the meeting.

Larry told me that he was unaware whether I had known about Quiltec, and so told Arnold. I said that he should have included me on the list, because around a year ago I had helped him to find a typist who would do some job after hours. Larry did not recall the incident. At any rate I have never received any financial gain from Quiltec nor had any business involvement with this firm, which is owned by my two friends.

It bothered me considerably that Arnold had raised this

issue. The whole Quiltec issue disgusts me. Larry King's ethics are beyond reproach. His only "conflict" was based on his insistence that the TMI job be done correctly. I was upset that GPU and Bechtel would try to extend such a pretextual, shabby smear to destroy my career, when I was not even part of Quiltec.

On March 10, a Thursday, I went to the NRC to discuss the Arnold-King conversation. I stated that it was another management act to intimidate or remove from the Island anyone who tries to stop them from violating government and industry standards. Before the meeting, I had discussed this issue with Carl Hrbac, Ed Gischel and another member of plant engineering. I wanted their advice on whether I should seek a special investigation. I asked Carl Hrbac to accompany me to the NRC meeting, and he did.

When we entered Joe Weibe's office, I stated that I wanted to request a special investigation. I then explained Larry King's call the previous night and my concern. Weibe responded that they had been expecting this and were ready for me. He handed me a slip of paper with the address of the Department of Labor (DOL) as well as Mr. Christopher's phone number. Weibe said the NRC's official position was that it would not get involved, because this is an employer-employee labor matter. I should go to the Department of Labor. He said he had spoken to Mr. Christopher at OI to confirm this stand, and Christopher agreed. I should feel free to call Christopher as well.

Both Mr. Hrbac and I expressed our concerns over how my confidentiality had been compromised. I asked what the NRC would do if I were suddenly transferred, laid off or fired? Wouldn't that tend to prove my point about intimidation and reprisals? Weibe

repeated that this would be a personnel matter for DOL. Upon leaving the office, Carl stated and I agreed that I had been had.

When I arrived back at the office, I contacted Mark Kobi of Bechtel RD&D and asked him to take a walk with me. I trusted and valued Mark's opinion, because he had advised me to stay on the job and do it right after I was first advised by Mr. Morris that I should be counseled for my bad attitude. At the time, Mark had advised that I was professionally respected and was needed to help establish GPU staff confidence in Bechtel employees. He had added that Bechtel needed my experience and that I would be evaluated on my work, not on whether I was well liked. As a result, I trusted him.

On March 10, I went over the whole story of recent events with Mr. Kobi -- including the threats and intimidation tactics. I asked him how to get in touch with senior Bechtel management in Gaithersburg to discuss these issues. Mark told me to contact my Gaithersburg boss Andy Wheeler and request a meeting with one of the vice presidents. Mark said that what I described was not the Bechtel way of doing business. I thanked Mark and went back to the office.

At around 1:30 that day, Joe Chwastyk called me into his office. No one else was there. He began the discussion by stating that if I repeated any of it, he would deny it. He said he had just been to what would probably be one of his last meetings on the Island. The meeting was with John Barton, who wanted to know-- (1) What was Chwastyk's involvement in Quiltec? (2) What was Parks doing going to the NRC? Joe asked me straightforward if I had called the NRC OI people. I replied that I hadn't, which was true.

Chwastyk then stated that management knew I had gone to the NRC and would get me. He also recommended that I see a lawyer and suggested one of the company-paid lawyers who is representing the operators in the grand jury investigation. I said, "Thanks, but no thanks. I don't trust company-paid lawyers. I'll find my own." I then told Joe that I felt sick and wanted to leave work. He gave his permission.

Later that evening of March 10, Larry's wife Gloria King spoke with me. She said Joe Chwastyk had called to tell them he was worried about me, because my wife was trying to get some dirt on me that could be used to take away custody of my children. Although it is generally thought on-site that I am divorced, in fact I am a widower. My wife died three years ago. The company crossed the line when a threat was made that affected my sons. This threat convinced me to contact and seek legal counsel from the Government Accountability Project. Until this time I had been struggling within the system. This action prompted me to seek outside help. I knew now that these people had to be stopped.

On Monday, March 14, I returned to work. At 8:00 a.m. Ed Kitler called me. Ed stated that my boss from Gaithersburg, Andy Wheeler, and another individual were on their way up to discuss Quiltec. They arrived around 10:45 a.m., and Ed Kitler told me to report to Room 204 of the administration building.

At Room 204 I met my boss Andy Wheeler for the second time in my life, as well as an individual named Lee Hoffman, who identified himself as a member of the Bechtel internal auditing group (internal affairs) out of the home office. After preliminary,

reassuring smalltalk, Mr. Hoffman started quizzing me on area job shops. Within a few minutes, I realized that this was a witchhunt. I stopped the interview and asked if I could read their notes, and have a copy of their notes after the meeting. They replied "no" to both questions, stating that it was not Bechtel procedure. I said it was not my procedure to talk one-on-two, especially in light of recent occurrences and threats against me.

I added that I wanted to and would answer all their questions truthfully and fully if I could have an impartial witness present. In reply, they said I was free to leave and did not have to answer any questions. I said I wanted to answer their questions, but needed to protect myself with an observer. I specified a member of GPU management whom I knew and trusted. They said no because this was an internal Bechtel affair. They suggested B. Kanga, an idea I rejected.

I said then that I wanted to meet with a Bechtel senior vice president, preferably Mr. Komis who runs the Gaithersburg office. I explained that I was sick of the threats and intimidation and wanted it to stop. I had not even known who ran the Gaithersburg office until Hoffman told me. They asked if we should leave the Island. I said no, we should meet now. Hoffman called a Gaithersburg vice president named Mr. Sanford and we eventually scheduled a meeting for 8:00 a.m. the next day.

After more argument, Wheeler and Hoffman allowed me to bring Mark Kobi in as a witness. The interrogation commenced, with all four of us taking notes. After 5-10 minutes of questions about east coast job shoppers and irrelevant questions about how job

shoppers do business, I told them basically that we should talk about Quiltec since that is what they came to discuss. The rest of the questioning pertained to my alleged involvement with Quiltec. I told them that I was not part of Quiltec but had some peripheral contact because of my friendship with the owners. In this context, I told them that once I had helped Larry find a typist who did some work for him after hours, but had not received any financial gain.

It should be noted that Messrs. Hoffman and Wheeler were not interested either in hearing about intimidation or my safety concerns. Hoffman told me that this further information was not for his needs. I replied, "Well, you're going to hear them anyway." They were openly disinterested in these problems, although I made them listen.

On the way out, Mark Kobi told me that what we had seen was not the Bechtel way. He, too, felt that I was being set up. As best I can recall, he said the approach was inexcusable and he was surprised that I had maintained my composure. On balance, I believe that the interrogation was a further attempt to retaliate, intimidate me and force me to back off on my safety concerns about the polar crane.

On Tuesday, March 15, I met with Mr. C. Sanford, Mr. Hoffman and Mr. Wheeler in a closed-door session. I allowed this meeting to be three-on-one, because I felt at the time that no Bechtel corporate vice president would participate in a smear. In this meeting I repeated to Mr. Sanford as many of my safety concerns and threats against me as I could remember. He, too, did not appear to be interested except when I identified specific Bechtel employees. Sanford did state that Bechtel does not tolerate intimidation of its employees.

Sanford then accused me of aiding and abetting Larry King's efforts to steal GPU employees for personal gain. He added that he had not set a date to pass judgment on this issue, but that I could be fired. I asked on what grounds. He responded it would be for making a poor judgment call. At this point I regretted speaking one-on-three and didn't see what else could be accomplished. The meeting was adjourned shortly after.

On Wednesday, March 16, I hand-delivered through Mr. Kanga's office a letter to Mr. Sanford about our discussion. The letter stated that I shared management's conflict-of-interest concerns, have not sought or received any financial gain from Quiltec, and pledged that I wouldn't. I asked for some written description of employee standards on conflicts of interest since I had not received any indoctrination program. I wanted to know what was expected of me. I offered to reconsider my safety challenges if Bechtel would explain in writing why I was mistaken. Finally, I asked for a written pledge that the intimidation cease. The letter is attached as Exhibit 1.

Upon returning to my apartment, I discovered that it had been broken into. Nothing was taken, but my personal papers had been rifled. When questioned by the local police department, my neighbors stated that the previous night they had heard what sounded like footsteps and something being knocked over in my apartment. Luckily, my boys and I had not been at home the night before. Although I cannot prove that the break-in was related to the previous intimidation, I could not take a chance on any mental or physical harm to my children. As a result, I have sent them to a safe location.

On Thursday, March 17, at 8:00 a.m., Mr. Kanga had me in for a two-and-a-half-hour meeting about the letter I had delivered the day before. I informed him that to date I still had not received a satisfactory response to my concerns on the polar crane; that I still had serious problems with it; and that I was being pressured to approve the load test.

Kanga said his door was always open if I felt intimidated or threatened, but that any further reassurances would be up to Mr. Sanford. Nevertheless, he warned me not to go public with my concerns. He said that once before things had gotten much worse for an employee who had tried that and was "humiliated." He said it could be as long as two weeks before any decision was reached on me about Quiltec. He volunteered that it was unfortunate, but other individuals like myself had come to Bechtel without any indoctrination. He said that was a problem he would have to resolve. He said that he had to send a report to Bob Arnold describing how the issue with me had been handled; that I personally had put Bechtel in a bad light with a client; and that as a result I stood a good chance of getting fired.

Kanga did, however, promise that the Licensing and QA departments would submit written responses to satisfy my concerns on the polar crane. I told him that failure to ensure reviews required by the QA Manual and applicable standards, procedures and regulations constituted an unreviewed safety question. I said this was especially true, since we worked at TMI Unit II and had told the world that public health and safety were our top priority. Mr. Kanga was becoming openly nervous and agitated. We finished the meeting.

Around 1:00 p.m. that day, I informed Joe Chwastyk that I could not approve the polar crane load test, because of the serious violations that permeated the program. I added that I did not find anything technically wrong with how the procedure was written for what it covered. But it did not address the major issues raised in the review cycle. We had just been going through the motions.

Around 3:30 p.m. that afternoon, I was called back to B. Kanga's office for a meeting with him and Chwastyk. The subject of the meeting was IOM 4200-83-147, dated that day from J. Chwastyk. It stated that effective immediately Mr. Marshall would replace me as the primary SO member on the TWG only for the Reactor Building Polar Crane Project. The memorandum continued,

This action is considered appropriate for the present situation and is not considered a negative reflection of Mr. Park's ability, conduct or performance.

The designation of Mr. Marshall should not adversely affect the Polar Crane Refurbishment Schedule.

At the meeting Kanga asked me twice to agree that my removal was not an act of intimidation. I responded, "In my opinion, the intent is well-defined."

They were too late. As I left the room I told Mr. Kanga that I had already signed the procedure. I had reconsidered after speaking with Chwastyk earlier and signed with the proviso "based on technical content of the procedure only." I took this step because I did not want to pursue a personal vendetta about the program, as the approval in this form was consistent with the substance of my earlier position. "Approval based on technical content" is a generic term. It does not imply either that all required topics have been covered, or that QA requirements have been followed.

On March 18, in an attempt to help update Bubba Marshall for his new duties, I reviewed certain memoranda. One was a March 7, 1983 NRC public letter signed by B. J. Snyder, Program Director, TMI Program Office, NRR, which concurred with the polar crane refurbishment program. The summary portion of the letter states:

The NRC staff concurs with the Functional Description as it relates to the Reactor Building Polar Crane Load Test using the main hoist system. QA/QC has been involved at all stages of the refurbishment process in addition to NRC staff. Safety considerations have been addressed under a separate letter.

My review of the letter also revealed that on February 17, the same day as my comments on the polar crane refurbishment and the crane itself, GPU had sent the entire program to the NRC for concurrence. This, of course, rebutted the NRC's claim of full prior review and approval.

The NRC position was discredited by another memorandum I reviewed, IOM 6110-83-046 (March 10, 1983). The topic of this memorandum, from Blaine Ballard of QA to Jim Theising, concerned the same polar crane refurbishment review. Mr. Ballard listed eleven comments indicating QA violations. The misdeeds included modifications made without issuing an ECM; lack of engineering evaluation and documented acceptance for substitute lubricants and oils; insufficient engineering review and approval for all work; drawings or data sheets that were missing from work packages; package sign-offs that were incomplete for individual steps, including cases where work was done without any signatures; design engineering evaluations that had been made by the inspector without engineering corroboration; insufficient capability in work packages to link identified discrepancies with their resolution, insufficient information to document activities, and work packages that had

been modified, deleted and signed off as meeting the "intent" of the document referenced, or that had steps added subsequent to reviews by outside groups. QA is not qualified to do engineering evaluations. But QA said that neither AP-1043 nor AP-1047 had not been followed, and a Quality Deficiency Report would be issued for the violations. These findings flatly contradicted the conclusions in the NRC letter issued just three days before.

The third document I reviewed was a March 14, 1983 note from Lake Barrett of the NRC to J. Larson, Unit II director of licensing. The note disapproved the "TMI Unit 2 Recovery Operations Polar Crane Operation" Procedure No. 4000-IMP-3891 (Rev.0). Barrett listed six reasons for rejecting the procedure:

1. It contains several references to the auxiliary hoist/hook. This portion of the polar crane was never submitted to us for use and never approved by us for use in the Recovery Operations Program. Therefore we will not approve a procedure that permits its use.
2. It does not specify that all rigging used with the polar crane shall be certified/tested as meeting applicable ANSI standards.
3. It does not require a quality-control-type check of all rigging for loads in excess of ten tons.
4. It does not specify the minimum-weight load that requires a brake test. We recommend ten tons.
5. The procedure should reference an engineering drawing for specifics on the limitations of crane travel. (An alternative would be to specify the no-travel portion of the crane arc on Exhibit 2.)
6. It does not reference a governing procedure (or other document) to specify the individual who shall be in charge of the overall operation when lifting particular loads.

This note contradicted Barrett's statement to me that he could find

no problem with the polar crane.

I also found it curious that the NRC would issue such a significant negative conclusion in a private "note" to the utility, when it had issued such a glowing public endorsement just three days earlier. This cozy private relationship with the utility may not be new. Several sources previously had shared with me their understanding that prior to issuing formal NRC letters, Barrett's practice has been to first submit his drafts either to Bob Arnold or B. Kanga for editing and comments. Once a consensus was achieved, Barrett would issue the letter officially. The note on disapproval of the polar crane operation procedure added credibility in my mind to these reports.

Many of my concerns raised above involve a systematic attempt to circumvent administrative and QA requirements for the polar crane. This represents a significant breakdown in the system of organizational checks and balances at TMI Unit II. I am worried that this structural breakdown may apply to other work done in the plant during the last year.

Approximately a dozen of the issues I raised directly concern public health and safety, in my opinion. We must be able to rely on the polar crane when we use it to remove the reactor vessel head and other heavy equipment. We can't afford to trust untested equipment which has been compromised by an unknown amount of radiation damage.

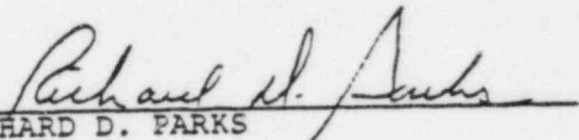
Most significant, I am disillusioned that GPU and Bechtel management are taking such a sloppy approach toward restoring TMI

Unit II. In light of the damage already done at TMI, there is no excuse to gamble on public health and safety in order to meet cost and production schedules.

I am equally disillusioned that the NRC has knowingly provided informal guidance and formal approval for this misconduct. At the same time, the NRC has failed to work in good faith with employees like myself who seek to uphold the law. If the NRC and the nuclear industry are this careless at TMI, how much can we trust the programs at other plants?

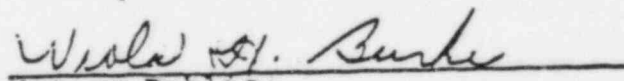
The issues described above are illustrative of my concerns. They cover major safety, administrative and QA violations of the last few months. I am prepared to discuss additional violations, and other issues such as gross waste.

I have read the above 56-page affidavit, and it is true, accurate and complete to the best of my knowledge and belief.


RICHARD D. PARKS

SUBSCRIBED AND SWORN TO

before me this 21st day of March, 1983.


Notary Public

VIOLA H. BURKE
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires January 2, 1986

March 16, 1983

Mr. Sanford
Bechtel North American Power Corporation
Gaithersburg, Maryland

Dear Mr. Sanford:

This is to express my appreciation for the time that you, Mr. Wheeler, and Mr. Hoffman took from your busy schedules yesterday to meet with me about my safety concerns at Three Mile Island Unit II. Since the meeting, I have thought hard about the conflict-of-interest issue you raised, as well as my own serious concerns about the legality of procedures being used in the Unit II cleanup program. I greatly desire to remain an effective, productive employee of Bechtel and a well-respected member of our corporate "family." As a result, I am submitting the following comments and requests for your further consideration:

1) I appreciate your sensitivity to conflicts-of-interest. In fact, I share it. As a result, I wish to state unequivocally that I have never sought nor received any financial compensation and/or gain from the Quiltech Corporation. So that there will not be any questions about my future conduct, I pledge not to seek or receive any financial compensation and/or gain from Quiltech during my Bechtel employment. So that there will not be any confusion, would you please send me all employee standards of conduct in general, and the conflict-of-interest standards in particular? As mentioned yesterday, I have not yet received any formal indoctrination about what is expected of me from a Bechtel corporate standpoint.

2) I would like to reconsider the challenges to procedures in question. It is difficult to reconsider, however, because I have yet to receive a full analysis of why my concerns are mistaken. To illustrate, there has not yet been any written response to a March 1, 1983 memorandum from Mr. J.J. Chwastyk to Mr. D.M. Lake, which expresses my continuing dissatisfaction with procedures for the Polar Crane Load Test. Rather, I have been pressured to eliminate my objections without any explanation of the flaws in my analysis. Could you please see that I receive such an analysis? This is a serious issue with significant potential safety consequences. I want to study any other viewpoints seriously before I modify or abandon my own professional opinion.

3) It is difficult to serve Bechtel well when I am being intimidated for attempting to do my job conscientiously, and for raising concerns with the Nuclear Regulatory Commission. Can I receive your personal reassurance that this intimidation will cease?

Thank you again for your attention. I hope that this letter will be the first step toward resolving an unnecessary, regrettable conflict.

CC: R. Wheeler
L. Hoffman
B. Kanga

Respectfully
Richard L. Parks

Government
Accountability Project
Institute for Policy Studies

1901 Que Street, N.W.
Washington, D.C. 20009
Tel. 202 234-9382

News Release

FOR IMMEDIATE RELEASE

FOR MORE INFORMATION

CONTACT: Tom Devine or Louis Clark
(202) 234-9382

Barb Snyder (717) 944-1847

PRESS CONFERENCE:

Friday, April 22, 1983
10:30 A.M.

Majority Caucus Room (Room 140)
State Capitol
Harrisburg, Pennsylvania

SITE OPERATIONS WHISTLEBLOWERS FIGHT BACK

At a press conference Friday morning at the State Capitol in Harrisburg, Pennsylvania, a former employee and a suspended employee at the Three Mile Island nuclear plant will answer questions about their Department of Labor complaints against the General Public Utilities-Nuclear Corporation (GPUN). They will be joined by Mr. Thomas Devine, Legal Director of the Government Accountability Project, a Washington-based whistleblower support group that is representing the two witnesses.

Ms. Joyce Wenger, former Administrative Clerk at the TMI-Unit 2 Site Operations office, announced that she is filing a Department of Labor complaint in which she alleges that her dismissal on March 23, 1983, after 3 years with GPUN, stemmed entirely from her knowledge of the safety concerns raised by her supervisor, Mr. Lawrence King, who was fired the same day. A few days after Mr. King was suspended in late February, GPUN management initiated an internal investigation and smear campaign against Ms. Wenger and she was ordered to "stay home." In her affidavit, Ms. Wenger describes her ordeal:

The entire investigation was a nightmare for me. Words were put in my mouth that I never said, and I was interrogated by no less than six different representatives of site management on several different occasions about subjects of highly questionable relevance to any genuine concern. My co-workers were being questioned about my character and personal life. It was obvious to me that certain members of GPUN management wanted to fabricate a basis for firing me, because I had worked for Mr. King, knew that he had raised safety concerns to management, and because I had also openly expressed my belief that Mr. King had been "set up" because he tried to do his job right. In other words, contrary to my previous naive view, I was being investigated because I "knew too much" and couldn't be trusted to remain silent, due to my loyalty to Larry King.

Ms. Wenger was fired three weeks later based solely on the ground of "inconsistent statements" which she did not make during this internal investigation. "The investigation ended as a self-fulfilling prophecy that Ms. Wenger would be fired for being secretary to a supervisor who raised safety concerns to management," Mr. Devine said.

Mr. Richard Parks, the engineer who originally disclosed issues of safety concerns about the polar crane and headlift operations in the TMI-Unit 2 cleanup program and management reprisals for expressing those concerns, announced the filing of his supplemental complaint and affidavit to the Department of Labor.