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COMANCHE PEAK STEAM ELECTRIC STATION: ALLEGED CLIMATE OF INTIMIDATION

SUPPLEMENTARY REPORT

Bruce L. Kaplan -- Team Leader
EG&G Idaho, Inc.

David G. Bowers
Research Scientist

Newton Margulies
University of California, Irvine

Charles M. Rice
LRS Consultants, Inc.

William E. Stratton
Idaho State University

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ABSTRACT

COMANCHE PEAK STEAM ELECTRIC STATION:

ALLEGED CLIMATE OF INTIMIDATION

SUPPLEMENTARY REPORT

May 1985

NRC contracted with EG&G Idaho, Inc., to continue its investigation of the work climate at Comanche Peak Steam Electric Station (CPSES), and to update its opinion concerning intimidation of QA/QC personnel based on data reviewed from September 1984 through April 1985. The resulting expert opinion, developed by the same study team that produced the original EG&G report, is presented in this supplement.

The study team assessed depositions, prefiled testimony, hearing transcripts, NRC reports, survey data, and other available information. Using a broadened definition of intimidation they formulated opinions on individual incidents of intimidation and the overall work climate.

Key findings were that some incidents of intimidation did in fact occur. The overall pattern of incidents, including the numbers of alleged incidents, allegers, and named intimidators, does not support a conclusion that a climate of intimidation exists or existed at CPSES. It was also found that certain management practices, while not constituting intimidation, may have negatively impacted performance of QA/QC personnel.

This investigation resulted in findings that support the conclusions in the original report. In the judgment of the study team a climate of intimidation did not and does not exist at Comanche Peak Steam Electric Station.

COMANCHE PEAK STEAM ELECTRIC STATION:
ALLEGED CLIMATE OF INTIMIDATION

SUPPLEMENTARY REPORT

1. INTRODUCTION

An initial report (Comanche Peak Steam Electric Station: Alleged Climate of Intimidation) on the issue of intimidation of QA/QC personnel at Comanche Peak was written by this team in September 1984. Conclusions in that report were based on information that had been received and analyzed by the team up to that time. This report is presented as a supplement to that initial report and is based upon the incorporation of all information received prior to May 1985.

The numbering of the sections in this Supplementary Report generally follows the outline of the original report to facilitate the comparison of related sections between the two reports. It is not intended that this report stand alone. It is a supplement to the original report and must be read in conjunction with it.

The report is divided into a number of sections as follows: Section 2 presents listings of the additional data

received and reviewed since preparation of the original report; Section 3 presents the analyses carried out based on the additional data and includes conclusions based on the entire data set (This section is divided into subsections dealing with transcribed data, the 1979 and 1983 surveys, NRC Reports of Investigation and Inquiry, and observations concerning management practices at CPSES); Section 4 presents a summary of findings and the conclusions reached in the study; Appendix A is an analysis by David G. Bowers of the 1979 Management Review Board Survey; and Appendix B presents brief summaries of the alleged incidents of intimidation.

2. DATA SOURCES

Information in addition to that used in preparing the original report was received and utilized in arriving at the supplementary conclusions presented here. This information is listed in the following sections.

2.1 Depositions

Depositions of two individuals were received and reviewed after September 1984:

1. H. Brooks Griffin, NRC Investigator
2. Evert Mouser, former QC Supervisor, Coatings

2.2 Survey Data

No additional survey data were obtained. However, an additional analysis of both the substance and pattern of responses was performed on the 1979 Management Review Board Survey data by David G. Bowers, the same expert in survey methodology who previously analyzed the 1983 QA/QC Questionnaire Survey.

2.3 NRC Reports

A number of additional NRC Office of Investigation Reports of Investigation and Reports of Inquiry have been reviewed since September 1984. They are as follows:

Inquiry Reports	Investigation Reports
Q4-82-0005	4-82-012
Q4-82-0011	4-82-005
Q4-82-025	4-83-006
Q4-83-009	4-83-011
Q4-83-011	4-83-016
Q4-83-021	4-84-008
Q4-83-022	4-84-012
Q4-83-023	
Q4-83-025	
Q4-83-026	
Q4-84-001	
Q4-84-007	
Q4-84-011	
Q4-84-014	
Q4-84-016	
Q4-84-037	
Q4-84-046	

2.4 Prefiled Testimony

Prefiled testimony from the following nineteen individuals was also received and reviewed:

1. Antonio Vega
2. Gregory Bennetzen
3. Neil Britton
4. William Darby

5,6,7. Liford, Johnson, and Callicut

8. Richard Simpson

9. Gordon Purdy

10. Robert Duncan

11,12. James Zwahr and Daniel Wilterding

13. Ronald McBee

14. Alan Justice

15. James Brown

16. Witness "F"

17. Samuel Hoggard

18. Arthur London

19. David Ethridge

2.5 Hearing Transcripts

The following listed transcripts of hearing testimony were received and reviewed:

DATE	PAGES	SUBJECT
9/09/84	14,403-14,771	In Camera Session: Witness "F"
9/10/84	14,772-15,171	M. Spence, A. Vega
9/11/84	15,172-15,573	Vega (cont.), B. Clements, C. Thomas Brandt
9/12/84	15,574-15,951	Brandt (cont.), I. Goldstein
9/12/84	15,952-16,389	Brandt-Travelers, G. Purdy
9/14/84	16,390-16,647	Tolson, Downey on Travelers
9/18/84	16,648-17,008	Tolson, Vega, Brandt (cont.),

		C. Allen
9/19/84	17,009-17,740	Allen, Brandt (cont.), Liford, Calicutt, etc.
9/20/84	17,741-18,158	G. Bennetzen, D. Chapman, Duncan
9/21/84	18,159-18,504	In Camera: two witnesses
10/01/84	18,505-19,028	D. Hunnicutt, J. Norris, T. Matheny
10/02/84	19,029-19,262	Norris (cont.), G. Purdy
11/19-84	19,586-19,846	O. B. Cannon: J. Lipinsky
11/20/84	19,847-20,179	Lipinsky (resumed), R. Roth
11/21/84	20,180-20,450	Roth (cont.)
11/26/84	20,451-20,774	G. Chaney - Handwriting Expert, Brandt
11/27/84	20,775-21,091	Brandt (resumed)
11/28/84	21,192-21,405	Brandt (resumed)
12/03/84	21,406-21,748	Brandt (resumed), Roth (resumed)
12/04/84	21,749-22,006	J. Lipinsky
12/05/84	22,007-22,254	Lipinsky (resumed)
1/07/85	23,112-23,422	J. Norris (resumed)
1/08/85	23,423-23,734	J. Norris (resumed)
1/09/85	23,735-24,032	J. Norris (resumed), R. Trallo

2.6 Other Information

Two additional documents received in response to NRC requests to Texas Utilities for specific information were reviewed.

1. The Responses of Texas Utilities to the NRC's

Questions Concerning the 1979 and 1983 Surveys of Quality Control Inspectors at Comanche Peak.

2. A series of organizational charts and a summary table (dated 2-16-85, 2 pages) indicating the company, organizational unit, and position for alleged intimidators.

3. ANALYSIS

The sections which follow present updated findings of the study team. The conclusions reached are the result of a review of the materials received subsequent to the drafting of the original report, analysis of those materials, and integration of that analysis with the work previously done.

The final conclusions in this report were based on the several different types of data available for analysis. Of central interest was whether or not the analyses of different types of data (e.g. depositions, survey data, etc.) led to the same conclus.ons. Similarity among conclusions derived from different data sources enhances the reliability of the overall conclusions. The following sections of this report deal with data from the depositions, prefiled testimony, hearing transcripts, survey data, and NRC investigation and inquiry reports.

In addition to intimidation there are other climate factors affecting the quality of work at CPSES that would not be classified as "intimidating". These will be discussed later in Section 3.4 of this report which deals with managerial practices.

3.1 Analysis Using Depositions, Prefiled Testimony, and Hearing Transcripts

3.1.1 The Concept of Organization Climate

This section analyzes the extent to which a climate of intimidation existed at CPSES. (This concept is defined in detail in Section 1.3 of the original report.) In making this determination the study team not only noted the frequency and distribution of incidents of alleged intimidation, but attempted to arrive at some judgments regarding the likely impact of the incidents on individuals in the work setting other than the alleger.

In the original report the study team defined intimidation as a process involving three major components: 1) the incident, action, or statement inducing the effect, 2) the resulting feeling or emotion experienced by the recipient, and 3) the ensuing action on the part of the recipient who, because of fear, is forced into behavior that otherwise would be rejected, or is deterred from actions that would otherwise be taken.

The study team has now broadened the definition of intimidation to include the impact the incident could be expected to have had on reasonable individuals in the work setting who experienced, witnessed, or became aware of the

event, regardless of their actual responses to the alleged intimidation.

3.1.2 Extent of Allegations of Intimidation

At the time of the original report, September 1984, the analysis, and therefore the conclusions reached, was based on the data the study team had received and analyzed up to that point in time. This supplemental report incorporates review and analysis of information available through April 1985.

This section analyzes the extent of allegations of intimidation based on depositions, prefiled testimony, and hearing transcripts.

The depositions analyzed were taken from 83 individuals up to September 1984 and from two additional individuals after September. A summary list of these data sources is shown in Table 1 of this section.

In addition to the depositions, 19 individuals provided data in the form of prefiled testimony, and numerous individuals provided testimony at the hearing (as listed in Sections 2.4 and 2.5). For the most part these individuals supplemented or repeated information provided in the depositions. In some cases these were new data

providers elaborating on incidents identified in the depositions.

TABLE 1
SUMMARY OF DATA PROVIDERS FOR DEPOSITIONS

Total Data Providers: 86

QA/QC Managers: 17
- David Chapman
- Gordon Purdy
- Mark Welch
- Thomas Brandt
- James Patton
- G. S. Keeley
- Richard Kahler
- Robert Spangler
- Billy Ray Snellgrove
- Ronald Tolson
- Robert Siever
- Dwight Woodyard
- Antonio Vega
- Jack Stanford
- Billie Ray Clements
- Myron Krisher
- Evert Mouser

Non-QA/QC Managers: 24
- James Callicut
- Freddie Leon Powers
- Perry Brittain
- Richard Camp
- Jimmie Green
- Thomas Locke
- Ray Yockey
- Joe George
- Robert Messerley
- John Blixt
- Louis Fikar
- Doug Frankum
- Michael Spence
- Ronald Dempsey
- Kenneth Liford
- Fred Coleman
- John Hallford
- Charles Tedder
- Hollis Hutchinson
- Carmen Baker
- Michael Hall
- John R. Johnson
- Samuel Hoggard
- Boyce Grier

NRC Personnel: 4
- James Cummins
- Robert Taylor
- Frank Hawkins
- H. Brooks Griffin

QA/QC Employees: 26
- Darlene Stiner
- Meddie Gregory
- Jack Pitts
- Joe Krolak
- Debra Anderson
- Susan Spencer
- Albert Boren
- Houston Gunn
- Deborah Anderson
- Sue Ann Neumeyer
- Curtis Biggs
- Greg Fanning
- Randy Whitman
- James Uehlein
- William Dunham
- Jimmie McClain
- Wayne Mansfield
- Larry Wilkerson
- Kenneth Whitehead
- Marvin Coates
- Linda Barnes
- Michael Rhodes
- William Simms
- Melvin Todd
- Sherry Burns
- Cecil Manning

Craft Employees: 15
- Henry Stiner
- Mark Wells
- Kenneth Luken
- Lester Smith
- James Scarbrough
- David Ethridge
- Ivan Vogelsang
- Dennis Culton
- Bobby Murray
- Stanley Miles
- Gary Krishnan
- Ronnie Johnson
- James Keller
- Larry Howard
- Witness "F"

The study team reviewed the specific incidents of reported intimidation. This analysis had two purposes: 1) to discern how the incidents were dispersed over time, and 2) to identify which instances appeared to be "legitimate" incidents of intimidation according to the definition used in the study.

Analysis of the incidents over time indicates that there were 31 reported incidents spanning the period from 1979 to 1984. (See Appendix B for a complete listing.) The dispersion is shown in Table 2.

TABLE 2

DISPERSION OF INCIDENTS OVER TIME

Year	# Incidents	
1979	1	
1980	0	
1981	4	(3 from one alleger)
1982	6	(5 from one alleger)
1983	12	(5 from one alleger)
1984	8	(6 from two allegers)

Table 2 shows that the reported incidents were concentrated from 1982 through 1984. In 1981 four incidents were reported by two individuals, one of whom provided three of the reports. In 1982, five of the six

incidents reported were also from the same individual who reported three incidents in 1981. So, of these ten incidents in 1981 and 1982, eight involve that one individual. As a result, for the years 1979 through 1982 there were only four different individuals alleging intimidation.

Table 2 also shows that in 1983, 12 incidents were reported by a total of five allegers. Of these 12 incidents, five were reported by one alleger. In 1984, eight incidents were reported by a total of six allegers. Six of these incidents were reported by two allegers. One of the eight incidents involved the termination of 3 individuals. Over the time period of 1979 through 1984 the 31 incidents were reported by a total of 13 individuals. Overall, two-thirds of the incidents (21 of the 31) were reported by only four individuals.

In using these data to assess the climate the study team noted that the number of QA/QC personnel employed at the site from 1979 to 1984 was between 150 and 250 at any one time, with a total of perhaps 500 different individuals employed over that time period. Considering the normal pressures created by scheduling and economic considerations, the natural conflicts between Craft and QA/QC, some inevitable personality clashes, and the number of opportunities for problematic interactions during the

course of the work, it would be reasonable to assume that even under the best of circumstances hundreds of incidents which might have been classified as intimidation occurred over the six year period.

The number of incidents, the number of allegers, and the number of named intimidators presented as evidence in this case, when viewed from this perspective, is insufficient to positively establish the existence of a climate of intimidation. Nevertheless, it is noted that the small number of reported incidents can not eliminate the possibility of such a climate.

From this analysis the study team found that there were relatively few reported incidents of intimidation over this six-year period, with a substantial majority of these incidents being alleged by a total of only four individuals.

The September report indicated that there were relatively few allegations and relatively few named intimidators. Having now reviewed all the depositional material, the conclusions of the study team do not differ from those original conclusions. The findings fail to indicate the existence of widespread intimidation at CPSES.

3.1.3 Review of Specific Incidents of Intimidation

The analysis thus far has made no judgments regarding the validity of the allegations themselves. Each alleged incident was assumed to have been a situation that actually involved intimidation. The study team subsequently reviewed each incident according to its definition of intimidation and made a judgment as to its validity. These judgments were based on: 1) whether the data supported a clear conclusion as to what actually occurred, 2) the extent to which a clear threat was made or implied, and 3) the likelihood that a reasonable person directly or indirectly involved would have been intimidated in the given situation. It should be noted that a conclusion concerning any one specific incident, in and of itself, would not lead to any conclusion about the climate of intimidation. The overall pattern of the incidents must be considered for the purpose of assessing the climate.

Analysis of the 31 incidents led to ten incidents being judged as cases of probable intimidation. These are listed in Table 3.

TABLE 3

DISPERSION OF INCIDENTS JUDGED AS INTIMIDATING

Year	# Incidents	Description
1979	0	---------
1980	0	---------
1981	1	D. Stiner - Weave Welding
1982	1	D. Stiner - Circuit Breaker Article
1983	7	Dunham - Intimidation of Coatings Inspectors - Nitpicking
		Dunham - Termination
		Neumeyer - Liner Plate Traveler
		Allen - ALARA and DCA Reviews
		Allen - Detergent on Painted Surface
		Allen - Cigarette Filters
		T-Shirt Incident
1984	1	Neumeyer - Stanford Incident

When judgments about the legitimacy of the incidents are made, the case against a climate of intimidation is even stronger. There are very few incidents in the opinion of the study team that could be classified as "intimidating". Of the incidents included as probable acts of intimidation, some were not very clear or were counted only because they

fit narrowly or technically within the definition as intimidating. These cases were, however, included in the listing above.

These ten incidents involve four different allegers, excluding the T-Shirt Incident which involved some eight "targets" of potentially intimidating actions. Clearly, all of these incidents do not deserve equal weight as significant events in creating a possible climate of intimidation. The study team concluded that the Stiner Circuit Breaker Article incident, and the Neumeyer Liner Plate Traveler incident were only narrowly qualified within the definition as having any significance in contributing to any overall climate of intimidation.

3.1.4 Conclusions Based On Depositions

In conclusion, review of the depositions regarding the number of alleged incidents of intimidation and their dispersion over time, and review of the specific incidents themselves, resulted in no change in the original findings of the study team. The data do not suggest that a climate of intimidation exists or existed at CPSES.

3.2 Analysis of the 1979 Management Review Board Survey

The original report included a content analysis of a subset of questions from the 1979 Management Review Board Survey. Additional analysis has now been performed of both the substance and the pattern of responses on an expanded set of questions from that survey. This analysis was completed by the same expert in survey methodology who previously analyzed the 1983 QA/QC Questionnaire Survey, and the results are summarized below. The complete analysis is attached to this report as Appendix A.

3.2.1 1979 Management Review Board Survey

To provide a more complete picture of findings from the 1979 survey, a more extended analysis of the data was undertaken. In addition to the five survey questions to which responses were analyzed in the earlier report, 21 additional questions were included representing all questions which seemed likely to contain information at all relevant to the issue of intimidation. All 120 respondents were included. Their responses were then content analyzed into code categories developed from initial inspection of a sample of questionnaires. As in the case of the 1983 questionnaire data, the responses were then analyzed to determine whether either their pattern or substance reflected possible intimidation.

Concerning the pattern of response, the principal findings were:

* The non-response rate was quite low; on the average, 92 percent of the respondents gave usable responses to any particular question.
* The overall pattern was positive; 78 percent of the responses were positive (favorable).
* Although the average favorability was quite high, there was not an absence of negative opinion. Approximately one response in four was negative.
* The most negative responses were to the most threatening items, not the reverse (which one might expect from a pattern of intimidation).

The conclusion, therefore, is that the pattern of response did not suggest any noticeable amount of intimidation. The substance of response was another matter, however.

Since the 1979 survey, unlike that in 1983, was not focused upon the issue of intimidation, one would expect that most of the responses would refer to issues other than that. Indeed, such was the case. In general, on those items to which the average response was least positive, the concerns were primarily those of money, lack of formal preparation, or "other" (a mixture of miscellaneous concerns or complaints).

Perhaps an exception to this general pattern occurs for Question 2A ("How would you rate management support of QC?"): 28 percent responded marginal or inadequate.

Information which perhaps explains or amplifies these responses on Question 2A came from an analysis of all written comment conceivably relating to intimidation. There were 38 relevant comments of this type, given by 32 persons. An analysis of these specific comments indicated that the acts of intimidation came almost exclusively from craft/construction, not from QA/QC management or supervision. For a minority of these 32 persons there was also the perception that QA/QC management had too often acquiesced to craft/construction, rather than backed QC.

3.2.2 A Comparison of 1979 and 1983 Survey Results

Consideration of both the 1979 and 1983 survey results jointly presents some interesting and perhaps useful similarities and contrasts. In neither year did the pattern of response reflect any indication of widespread feelings of intimidation. Indications of intimidation occurred with any frequency only for the substance of response, and only for the 1979 survey. That this was true despite the fact that that survey involved face-to-face interviews, rather than anonymous questionnaires, and was generally focused upon issues other than intimidation, seems significant. Had there been pervasive intimidation

throughout this five-year period, it seems likely that it would have been more in evidence in 1983 than in 1979, simply because the 1983 format made it easier and safer to respond. This was not the case, however.

Instead, what appears to be the more straightforward explanation is that there was, in fact, intimidation in 1979, that it was felt to various degrees by at least a minority of persons, and that it came almost exclusively from craft/construction. For a minority of that minority there was a perception that management too often acquiesced to craft/construction. This explanation would suggest, however, that by 1983 the problems had all but disappeared.

The reason for this change can only be a matter of speculation. Perhaps programs and actions by management to correct and prevent such instances had the necessary effect. Perhaps there was a shift in the nature of persons doing craft/construction work over the period, e.g. from rough-and-tumble concrete workers to more skilled crafts such as electricians.

What these two sets of data taken together do say is that there was no indication of a pervasive climate of intimidation on the part of, or fostered by, management or supervision. At most, there is a perception (by less than 10 percent of respondents) that management often did not

take action on intimidation by craft/construction strongly enough, soon enough.

3.3 OI Investigation and Inquiry Reports

In addition to the three NRC Office of Investigation reports discussed in the initial report, seven investigation reports and seventeen inquiry reports have since been reviewed. Most of the events triggering these investigations and inquiries were touched on, and in some cases covered in depth, in the depositions, prefiled testimony and hearing records. Some useful information related to the issue of intimidation was gleaned from these reports.

3.3.1 Inquiry Reports

Seventeen inquiry reports were examined by the study team. Of these, 15 reports were not particularly useful in evaluating the climate. Of the remaining two reports, one described an instance where the climate was not intimidating, and one described an instance where it was. The 15 inquiry reports that were not particularly useful and their subject matter were as follows:

Q4-82-0005 Alleged Improper Weld Practices

Q4-82-0011 Alleged Improper Termination of a QC Inspector

Q4-82-025 Alleged Radiographic Irregularities

Q4-83-009 Alleged Inadequacies in As-Built QC

	Inspection Program
Q4-83-011	Alleged Poor Construction Practices
Q4-83-022	Alleged Improper Implementation of Technical Procedures
Q4-83-023	Alleged Poor Management Practices
Q4-83-025	Alleged QA Supervisor Discouraging the Use of Nonconformance Reports
Q4-83-026	Alleged Deficiencies in Coatings Program
Q4-84-007	Alleged Violations of Construction Practices
Q4-84-011	Alleged Intimidation of a BOP Inspector
Q4-84-014	Preserved Testimony of a Witness
Q4-84-016	Alleged Improper Construction Practices
Q4-84-037	Alleged Threat of "Blackballing" a Former QC Inspector
Q4-84-046	Suspected Harassment of a QC Inspector

The two inquiry reports which appear to present some information that is useful in evaluating whether a climate of intimidation may have existed at CPSES are discussed below.

Q4-83-021 Alleged Intimidation of Electrical Craft Personnel

A former Electrician's Helper contacted the NRC with several concerns regarding practices in the CPSES Electrical Department. His primary concern related to the lack of training provided to Electrical Department

personnel for the fabrication and installation of electrical conduit hangers. These personnel are alleged to be required to read a 400 to 500 page technical manual, S-0910, the first day on the job and sign a form stating they have read and understand Manual S-0910. A forty-hour training course is given on the manual. However, since it is voluntary, unpaid, and off-duty, the alleger estimated that less than three percent attend the course and that most electrical personnel have inadequate working knowledge of S-0910.

The alleged intimidating aspects of this training problem are that the TUGCO Work Sampling Group lists referring to S-0910 as idle time, so electrical supervisors tell the electricians they should not get caught reading the manual, which officially discourages its use.

Another concern was poor morale of electrical craft workers resulting from threats of firing and harassment by the Electrical Department superintendent. As a result of this, it was alleged that some electrical personnel had commented that they might commit acts of electrical equipment sabotage.

These allegations, although not specific to QA/QC, tend to indicate a climate of intimidation may have existed in the electrical construction department. The inquiry did not delve into the specific allegations sufficiently to confirm or deny their veracity. However the alleger sounded credible. Even though the facts did not support a conclusion of intimidation, the allegations certainly point to poor supervisory skills and management practices in training, work sampling, and personnel relations.

Q4-84-001 Alleged Improper Construction Practices
Several specific allegations were contained in this report. In two instances, one involving disassembling pump couplings without authorization and the other involving work on an air accumulator without the proper paperwork, a QC inspector caught the violations and stopped the work until the proper paperwork was obtained. These incidents are examples of QC inspectors acting independently, with appropriate authority, and without being intimidated.

Two other incidents alleged that workers were threatened with dismissal if they did not meet production demands and were told they were not to come back to work the next day if they did not finish a specific job. In neither instance did anyone lose

his job. In the final incident the alleger refused to sign off maintenance cards inappropriately despite being instructed to do so by his superior. No adverse action was taken against him. These three events tend to indicate a somewhat autocratic and insensitive management style, but do not support a climate of intimidation.

3.3.2 Investigation Reports

The NRC investigation reports generally went into considerably more depth than did the inquiry reports. These reports are discussed briefly below together with the conclusions drawn in each.

4-82-012 Alleged Electrical Deficiencies

A former Electrical Department worker identified four areas of alleged deficiencies, which had purportedly occurred in the 1980 time frame:

* Use of a 750 MCM lug that was drilled to accept a 1000 MCM cable in the circulating water system motor control center.
* Use of the wrong size lug on a terminal block in the Auxiliary Building of Reactor No. 1.
* Use of the wrong size lugs on terminal blocks in the Switch Gear Room of Reactor No. 1.
* Improper cable splicing and wiring to the wrong

side of lugs in the annunciator logic panels of the Reactor No. 1 Control Room.

The NRC Senior Resident Inspector personally inspected each of the above areas in August 1982 and found no improper wiring in any of them.

No implications for the issue of intimidation were apparent in this report.

4-83-005 Alleged Improper Construction Practices

A former CPSES supervisor provided allegations of improper practices and procedural violations in several areas of mechanical and civil construction, including unauthorized cutting of rebar, main steam line overtensioning, use of a cutting torch on hanger material, and failure to purge stainless steel piping during welding.

Ten individuals alleged to have knowledge of improper rebar cutting provided sworn statements to the effect that all rebar cuts were made with proper authorization.

Four witnesses testified that the relocation of the main steam line was done under the direction of engineers to remove stress on the line.

Six witnesses testified to having no knowledge of improper use of cutting torches on hangers. Two witnesses testified to the scrapping of a hanger due to procedural violation, with replacement by new material.

In addition, a former employee, who came forth in January 1984 after reading of these allegations in the newspaper, refuted several of the allegations as reported in the Inquiry Report Q4-84-007.

The weight of evidence appeared to disprove the allegations and did not support the existence of a climate of intimidation.

4-83-006 Alleged Falsification of QC Records

A QC inspector alleged that a signature had been forged on an NCR that had previously been an issue before the ASLB.

The former QC inspector who had identified the nonconforming condition was interviewed as was the former Quality Assurance supervisor. There was testimony that the NCR had been handled appropriately and the investigation disclosed no evidence of forged signatures.

There was insufficient evidence in this report to indicate intimidation or a climate of intimidation.

4-83-011 Suspected Falsification of QC Records

A QC inspector alleged that records of some of his inspections had been altered or falsified. He suspected this had been done by reviewing supervisors. Of three other inspectors interviewed, two indicated that this particular inspector was deficient in completing his reports and one stated that he had heard rumors that other inspection personnel regularly helped this inspector by completing his paperwork. This paperwork situation was confirmed by a document clerk, while two clerks testified they did not know of any falsifications of inspector checklists. QA/QC supervision and management denied knowledge of alteration or falsification of coatings records.

Upon re-interviewing, the investigator found that the alleger had been unaware that earlier inspection practices permitted the copying of records. The alleger knew making copies was now a violation of procedures and he had assumed that reviewing supervisors must have improperly made the copies he originally alleged had been changed.

Much of the testimony developed in these interviews

related to various other allegations that have been considered in other portions of this supplement and in the original study team report.

As it relates specifically to the issue of intimidation, the data do not indicate intimidation nor support the possible existence of a climate of intimidation.

4-83-016 Alleged Discrimination Against QC Inspectors
The allegation was that a QC lead inspector was fired for complaining in a meeting about intimidation by a supervisor and about lack of support for QC inspectors, and that this termination had an intimidating effect on the QC coatings inspectors.

There is much testimony and many depositions that relate to this particular event with a clear difference of opinion between management and the alleger as to the reason for his termination. It is apparent that there was some reason for the alleger's concerns about the supervisor, and it is probable that the alleger had been disruptive to some extent in the QC meeting. It is also quite clear that the reasons for termination were not communicated well to supervision or inspectors. Consequently, the study team concluded that the incident could have had an

intimidating effect on inspectors.

4-84-008 Alleged Intimidation of QC Personnel

This report covered several instances of intimidation alleged by a QC inspector. The specific allegations were that the inspector was subjected to a series of eight meetings intended to intimidate and discourage her in the performance of her work following her appearance before the ASLB.

It appears that, in fact, the company provided information on maternity benefits six weeks before her ASLB appearance as well as approximately six weeks after. Many management actions alleged to be discrimination against her were in fact attempts to accommodate her special needs and produce a more agreeable work situation for her. Soon after her ASLB appearance the alleger's work duties were changed from field to shop inspections. An office was arranged near the fabrication shop, and special arrangements were made for parking and transportation to and from her work area. Finally, at her request, she was allowed to terminate by an ROF rather than take a leave of absence, in order to be eligible for unemployment compensation.

The study team feels that CPSES management gave her

more than normal consideration, perhaps because of the alleger's appearance before the ASLB. These incidents do not support the existence of a climate of intimidation, although the alleger could have felt intimidated.

4-84-012 Alleged Intimidation of Welding Crews

An ironworker alleged that an ironworker superintendent regularly threatened and intimidated his subordinates. Interviews with fifteen individuals determined that seven either had personal knowledge or knew of this superintendent's reputation as an intimidator.

In a specific incident investigated, it was alleged that the superintendent forced the ironworker to chip concrete in a room in which safety system welding was being performed. It is likely that this was a case of intimidation of the ironworker by the superintendent.

With regard to intimidation of QA/QC personnel, a QC inspector, when advised of the problem, shut the welding job down until the chipping was stopped and the dust settled. This shutdown occurred despite its going against the orders of a superintendent known to many as an intimidator. This incident, while showing intimidation of a craftsman, also is another example

of a QC inspector acting independently within the authority of his role and without being intimidated by the crafts.

3.3.3 Conclusions From Investigation and Inquiry Reports

Analysis of 24 NRC Reports of Inquiry and Investigation resulted in four incidents that provide some indication of intimidation in both Craft and QA/QC at CPSES. One of these incidents (4-83-016) involved the termination of a lead QC inspector, and one (4-84-008) consisted of a series of events involving one QC inspector. These two events are included in Table 3 as the Dunham-Termination and the D. Stiner-Circuit Breaker Article incidents. The third report (4-84-012) dealt with a possible climate of intimidation in a craft department; it was also an example of a QC inspector acting independently and utilizing the authority of his role. A fourth report (Q4-83-021) dealt with Craft intimidation by Craft supervision, but provided too little information to confirm or deny whether intimidation actually existed.

In the total of 27 inquiries and investigations, including the three utilized in the original report, a preponderance of allegations of intimidation were unsupported. The extensive investigations and interviews turned up a large number, approximately 202, of present and past employees who refuted the charges of the allegers, and

turned up approximately 48 who supported the allegations. Of the 48, nearly half were craft, supporting the claims of intimidation of craft on the part of craft supervision. Hence, approximately 26 individuals, among a total of about 250 persons, supported claims of intimidation of QA/QC personnel. Fourteen of the 26 were related to two specific incidents, the Dunham-Nitpicking and Dunham-Termination incidents. Seven other claims were unsubstantiated by persons other than the alleger, leaving five other substantiated claims.

Based on this analysis of OI reports there did not appear to be widespread allegations, numerous incidents, a pervasive atmosphere of fear, or other evidences of a climate of intimidation at CPSES. The analysis of these additional NRC Office of Investigation Reports of Inquiry and Investigation resulted in no findings that modify the conclusions of the study team in their original report.

3.4 Observations On Managerial Practices

The study team stated in its discussion of management style in the September report (Section 3.3, pages 37-40) that there are many factors which contribute to individual performance on the job. Intimidation, or the existence of an "intimidating climate", is only one such factor.

One problem that the study team faced in making its assessment was the fact that organizations are complex mechanisms of interacting systems, procedures, and behaviors. This makes it illogical to assume that any one factor can be isolated in drawing cause-and-effect conclusions. In the study of organizational phenomena, often the best that can be done is to show that certain outcomes seem to be correlated with, that is to occur in conjunction with, the presence of certain other factors. This correlative relationship does not prove the existence of any causal relationship, nor can the direction of any possible causation be inferred from mere correlation alone.

Inspection of data from all the sources led the study team to conclude that factors contributing to the performance of QA/QC personnel at CPSES included: their job skills and competencies, the quality of their motivation, the levels of compensation and the perceived equity of the compensation system, the structure of the organization

including the effective management of interfaces with other functions or departments, the establishment and communication of clear standards for their performance, and supervisory style. It is the opinion of the study team that management issues such as these may have had an impact on the performance of work at CPSES.

3.4.1 Job Skills and Competencies

The data provide some indication that a number of inspectors may have felt inadequately prepared to perform their work. The inadequacy of training and the poor communication between inspectors and management were clearly identified as areas of concern in the 1979 survey. In response to a question on "problems at CPSES", technical training of inspectors was the second most mentioned item. In addition, in both the 1979 and 1983 surveys, there were some concerns expressed about the lack of feedback on job performance. To the extent that inadequate job training and infrequent feedback on performance are characteristic of a job, they can inhibit the development of job skills with a resulting impact on performance.

3.4.2 Compensation and Wage Inequities

The perception that there are inequities in the administration of wage and salary programs and the general dissatisfaction with compensation could have a demotivating effect on individuals and on the subsequent performance of

their jobs. This issue was the most mentioned item on the 1979 survey. Complaints about wages were also dominant in the 1983 survey. As an example, one complaint was that inspectors working for different employers on the site received different wages.

3.4.3 Interface Management

There should be little doubt that there are multiple, complex, and difficult interfaces which must be effectively managed in the CPSES environment. There does seem to be some concern that these interfaces are a continual source of conflict and problems. It also appears that these resulting difficulties are accepted as given in the situation, as a reality to be lived with rather than productively or effectively managed.

The entire body of the data reviewed point to difficulties in the QC-Craft interface. Complaints about lack of cooperation, the inability of management to deal adequately with these difficulties, the perceived lack of QC management support of inspectors, the problems with "personalities", and the impression that the Craft personnel don't "understand the role of QC", all lead to the conclusion that the interface management processes do not seem to be very effective. The interface between Craft and QC is viewed as an adversarial one. Intimidation internal to the Craft organization may have exacerbated the

situation. While the nature of the working relationship must include checks and reviews by QC of work performed by Craft, little attention is devoted to improving or managing the interface to foster a more cooperative working relationship. Managing these interfaces requires special skill and sensitivity, an ability to see the whole and to understand the various nuances of personal and technical issues that arise.

Another factor influencing the interface between Craft and QA/QC is the role and working relationships of the NRC which create some ambiguity in managing interfaces among the relevant parties. While there is very little information specific to this subject, there are some comments in the depositions and surveys that indicate the NRC is a primary player and does influence the overall working relationship between Craft and QC. As an example, responses to the 1979 survey seem to indicate that management was not clear concerning what issues or when it was legitimate for employees to communicate to the NRC, or whether they would, in fact, encourage such communication. This example may indicate some failure on the part of the NRC to fully communicate its expectations regarding communications from CPSES employees.

Evidence from the transcribed material and from the surveys leads to the conclusion that CPSES is not without

significant interface management problems in the QA/QC area, and that these problems are worthy of attention.

3.4.4 Clear Performance Standards

In the surveys, depositions, and OI Reports there were concerns about the clarity of standards, the usefulness of some procedures, and the seeming lack of consistent application of these procedures. It is probably the case that procedures are designed to accomplish certain results. However, when coupled with consistent concerns about communication, there is the possibility that the procedures themselves, or their usefulness and purposes, may not have been fully understood. There is some evidence in the depositions and in some of the alleged "intimidating incidents" identified, that procedures may have been applied rather mechanically, or that inspectors were asked to perform operations without fully understanding what was expected and why certain procedures were to be performed in particular ways.

3.4.5 Supervisory Style

Another factor affecting performance is supervisory style. There was some discussion of its importance in the September report. One of the factors discussed briefly was that of management philosophy and the manner in which the prevailing philosophy might influence organizational behavior. The style of supervision at CPSES is related to

issues identified above in this section of the report.

The supervisory methods utilized at CPSES reflect an operating philosophy commonly found in construction and utility organizations. These organizations are often impersonal, viewing good human relations as unnecessary, and in fact maintaining that such practices simply impede the rapid accomplishment of tasks. Loyalty and compliance are considered important requirements for effective functioning, and unquestioned loyalty and compliance are therefore often demanded by such organizations. However, because of the impersonality and lack of management attention to the human dimension, these organizations often generate mistrust, suspicion, and lack of credibility of management. Accounts of management actions found in the depositional data support a conclusion that this description is fairly characteristic of management at CPSES. The study team classified a number of events as intimidating not because of management's intent to threaten people of cause them to act inappropriately, but because of the manner is which they handled a situation of communicated with those involved (e.g. the Dunham - Termination incident, the T-Shirt Incident, and the D. Stiner Circuit Breaker Article incident).

The degree to which this style of supervision affects the work performance of any individual at CPSES is

difficult to assess. This style can negatively influence morale and motivation, and these factors may affect job outcomes.

In summary, there were a number of managerial practices which, while not intimidating, may have influenced individual performance on the job. The job skills of inspectors may have been negatively inpacted by poor communication with their supervisors, inadequacy in their job training, and infrequent feedback on performance. There was some evidence that inspectors were asked to perform tasks without adequately understanding what was expected or why the work was performed. Difficulties in dealing with crafts were apparently accepted rather than managed, with little attention devoted to fostering more cooperative working relationships. A lack of clarity was seen regarding appropriate employee interfaces with the NRC. The general lack of supervisory attention to the human dimension may have generated mistrust, suspicion, and a general lack of credibility with employees.

4. SUMMARY AND CONCLUSIONS

Information reviewed by the EG&G study team after the the issuance of their September 1984 report, Comanche Peak

Steam Electric Station: Alleged Climate of Intimidation, formed the data base for this supplemental report. These data included depositions, prefiled testimony, hearing transcripts, NRC Office of Investigation reports, survey data, and other information. The data base continued to be limited, primarily reflecting information from allegers, managers, and related individuals focusing on specific incidents of intimidation. A summary of the findings and conclusions follows.

The number of alleged incidents of intimidation, allegers, and named intimidators was very small. Approximately 31 incidents reported by 13 individuals occurred between 1979 and 1984. A substantial majority were concentrated between 1982 and 1984. Four individuals accounted for 21 of the 31 allegations made. Of the 31 alleged incidents, only 10 were judged by the study team to meet the criteria for intimidation. This seems well within the number of events that would be expected to occur even under the best of circumstances. This small number of incidents, while not eliminating the possibility that a climate of intimidation could have existed, falls short of positively establishing that such a climate did exist at CPSES.

Analysis of the 1979 survey, when coupled with that done on the 1983 survey, showed no indication of a

pervasive climate of intimidation. Neither the pattern nor content analysis of the survey data indicated widespread knowledge of intimidation. If there had been a climate of intimidation one would expect to find a pattern response indicating feelings of intimidation on the part of the survey respondents and knowledge on the part of a significant number of respondents of intimidating incidents involving either themselves or others. Such was not the case, however. At most there was a perception by less than 10 per cent of the respondents that management did not take action on intimidation by craft/construction strongly enough, soon enough.

NRC Office of Investigation reports indicated 26 people supporting claims of intimidation of QA/QC personnel and 202 individuals refuting such claims. Analysis of these reports did reveal some isolated cases of intimidation, but resulted in no findings that would modify the conclusions of the study team in their original report.

If a climate of intimidation had existed at CPSES one would expect to find knowledge on the part of a significant proportion of employees of intimidating incidents involving either themselves or others. Furthermore, one would expect those making allegations to relate multiple valid examples of such incidents. Analysis of the transcribed material, surveys, and OI reports demonstrated that such was not the

case, and thus failed to support a conclusion that a climate of intimidation existed at CPSES.

Some management practices at CPSES, while not constituting intimidation, were of concern to the study team and may have had an impact on the job performance of QA/QC personnel. Poor communications, inadequacy of training and infrequent feedback on performance were found. Inadequate attention devoted to cooperation between QA/QC and Craft and a lack of clarity regarding appropriate employee interfaces with the NRC were observed. This overall general lack of attention to the human dimension may have created mistrust and suspicion of management by employees, reduced management credibility, and negatively impacted the performance of QA/QC personnel.

Overall, a good deal of compatibility was found in what the data from different sources indicated. Analysis of data from the transcribed material, analysis of both the content and pattern of responses from the 1979 and 1983 surveys, analysis of the NRC Office of Investigation Reports of Investigation and Inquiry, and the analysis of the individual incidents alleged to have been intimidating all lead essentially to the same conclusion.

These findings taken together lead the study team to reaffirm the conclusions reached in their September report.

In the judgment of the study team a climate of intimidation did not and does not exist at CPSES.

This is the data sheets on the review of depositions and testimony done by the consultant group working for Chet. There appear to be some items that we may not have addressed. We need to talk about how we will handle them.

FOIA-85-199
B/2

Volume 16 July 30, 1982 Pages 3342-3523

DISCIPLINE

Jim [redacted] Gags

	AQ NO.	A NO.	SOURCE	SUBJECT	QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
	57 AW-83	ATCHISON	Volume 16 Transcript July 30 - 1982 Pages 3342-3523	NPSI PIPE WHIP RESTRAINTS; SSE MATERIAL: EXTREME WARPAGE ON WELDING (Page 3457 Line 21 to page 3460 Line 4		✓								
		ATCHISON	Page 3459 Line 1 to 3469 Line 4	MAIN STEAM LINES FITUP ANGLE NOT ADDRESSED IN WPS-10047		✓								
		ATCHISON	Page 3460 Line 12 to Line 20	ASME Survey; INSUFFICIENT CORRELATION BETWEEN QA MANUAL AND SITE PROCEDURE	✓	✓								
		ATCHISON	page 3463 Line 12 to Line 21	MORALE OF SITE WORKERS LOW.								✓		
	A1-14	HAMILTON	3493 Line 19 to 3497 " 20	TERMINATED FOR NOT INSPECTING REAR CRANE COATING, NOT SAFE.	✓							✓		
	AQ0-68	HAMILTON	3497 Line 21 to 3519 Line 24	GREASE AND OIL IN PAINT	✓									
		ATCHISON	~~Page 3382 Line 4~~ Page 3417 Line 11 TO LINE 25	~~TWO INSPECTORS~~ INSUFFICIENT CORRELATION BETWEEN THE QA MANUAL AND SITE PROCEDURES FOUND BY ASME TEAM	✓									
		ATCHISON	PAGE 3447 Line 1 to 3453 " 4	~~TERMINATION~~ ATCHISON FIRED WITHOUT SUFFICIENT CAUSE -								✓		
	A-83-03	ATCHISON	PAGE 3460 Line 2 to Line 4	same as above								✓		

NEED ATCHISON, HAMILTON'S DEPOSITIONS

~~BEGIN AND END PAGES EACH ALLEGATION~~ " " " " " " INITIATION

~~PAGE AT ST.~~

Rescheduled 2-8-85 LAG/ma 18 Dec 84

9-13-1982 — VOLUME 17 PAGES 3564 - 4445 — 1 of 4

AQ NO.	A NO.	SOURCE	SUBJECT	QA QC	DISCIPLINE M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
AD-15	DOYLE	D PAGE 3645 LINE 3 to 3665 " 7	ANALYSTS STOPPED INCLUDING LOCA CONDITIONS IN PIPE SUPPORT ANALYSIS - FEBRUARY		✓								
AD-5	"	PAGE 3667 LINE 22 To " 3678 " 3	ANALYSTS STOPPED USING THERMAL EXPANSION OF THE SUPPORT STEEL OR CONCRETE IN THEIR ANALYSIS		✓								
[illegible]	"	PAGE 3679 LINE 18 TO " 3680 " 9	ANI WAS NOT INFORMED OF THE DECISIONS ON LOCA AND THERMAL EXPANSION OF THE SUPPORTS		✓								
AD-19	"	PAGE 3703 LINE 18 TO " 3704 " 25	SUPPORT FAILED DURING A HYDRO		✓								
AD-20	"	PAGE 3705 LINE 18 TO 3706 " 15	INSTRUCTED ABOUT WRITING NCR'S								✓		
AD-1	"	PAGE 3708 LINE 2 TO " 3709 " 9	ACCORDING TO NRC 2 CONSISTENCY OF DESIGN IS REQUIRED. EACH GROUP HAD DIFFERENT CRITERIA AT COMANCHE PEAK		✓								
AD-18	"	PAGE 3714 LINE 2 TO " 3717 " 5	WELDING A PAD OVER A BUTT WELD - NOT ALLOWED		✓								
AD-7	"	PAGE 3719 LINE 12 TO " " " 20	U BOLT USED TO TAKE LATERAL LOADS		✓								
AD-18	"	PAGE 3732 LINE 22 TO " 3734 " 14	PIPE SUPPORT (BASEPLATE) COVERS UP A BUTT WELD - VIOLATES SECTION II.		✓								
AD-6	"	PAGE 3735 LINE 9 TO " 3736 " 4	BAD DESIGN EXAMPLES - THERMAL CONSTRAINT OR UNSTABLE DESIGN										
AD-1	"	PAGE 3736 LINE 5 " 3738 " 19	HANGER DESIGNERS NEED LIAISON ANALYSTS TO PARTIAL ANALYSIS		✓								
AD-6	"	PAGE 3739 LINE 20 TO " 3739 " 5	MORE UNSTABLE DESIGN										
AD-1	"	PAGE 3740 LINE 3 TO PAGE 3742 LINE 11	SIGN OFF OF ANALYSIS HAS REQUIRED WHEN THE ANALYST DOES NOT AGREE								BEGIN AND END PAGES EACH ALLEGATION ✓ CHECK A-D NUMBERS		
AD-16	"	PAGE 3742 LINE 20 TO " 3749 " 20	DESIGNERS USED ADD-ON CODE WELDS		✓								
AD-3	"	PAGE 3750 LINE 11 TO 3771 " 3	RICHMOND INSERT ANALYSIS IS NOT CONSERVATIVE OR ACCURATE		✓								[signature] 1-9-85
AD-1	"	PAGE 3822 LINE 1 TO " 3824 " 17	EXCESSIVE VALVE LOAD WAS NOT INCORPORATED INTO THE ANALYTICAL MODEL		✓								[signature] 1-14-85

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	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
	AD-7	DUYLE	PAGE 3826 LINE 22 TO " 3842 " 15	U BOLT CHARACTERISTICS, FACILITY TO BE ANALYZED OR CONSIDERED		✓								
		"	PAGE 3854 LINE 18 TO " 3856 " 10	9/12 STEEL FOR 26" LOAD - OVERDESIGN		✓								
		"	PAGE 3992 LINE 16 TO " 4008 " 25	SLOPPY DRAFTING - DIMENSIONING		✓								
	AQW-24 AW-54	MIKE STIVER	PAGE 4042 LINE 22 TO " 4048 " 14	WELD ROD CONTROL	✓									
	AQ-48	"	PAGE 4048 LINE 15 TO " 4049 " 20	TORQUE SEAL CONTROL	✓									
	AM-20 AQ-37	"	PAGE 4049 " 21 TO " 4052 " 5	POLAR CRANE TAGOUT	✓	✓								
		"	PAGE 4057 " 23 " 4069 " 7	CONFIDENTIALITY VIOLATED BY NRC										
	AM-20 AQ-34	"	PAGE 4071 LINE 14 TO " 4076 " 19	POLAR CRANE TAGOUT	✓									
	AQ-39	"	PAGE 4076 LINE 24 TO " 4079 " 10	REQUESTED THAT LTR DO AS-BUILT AT FAB DRAWINGS (SATISFACTORY WORK)	✓									
	AL-3	"	PAGE 4080 LINE 1 " 4081 " 21	[redacted] OF INSPECTORS, QC SUPV. MONITORING OF INSPECTORS	✓									HARASSMENT
	AQ-48	"	PAGE 4083 LINE 6 TO " 4086 " 7	TORQUE SEAL CONTROL	✓									
	AW-14 AW-54	"	PAGE 4086 LINE 8 TO 4092 " 14	WEAVE WELDING	✓	✓								
	AM-25 AQ-34	"	PAGE 4092 LINE 17 TO " 4095 " 22	POLAR CRANE TAGOUT	✓									
	AQW-24 AW-54	"	PAGE 4095 LINE 23 TO " 4099 " 8	WELD ROD CONTROL	✓									
	AW-54	"	PAGE 4099 LINE 9 TO " 4100 " 15	WEAVE BEADS	✓									
	AM-25 AQ-34	"	PAGE 4102 LINE 16 TO " 4104 " 24	POLAR CRANE RAIL	✓	✓								
	AQ-39	"	PAGE 4105 LINE 1 TO " 4108 " 2	AS-BUILTS	✓									

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AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
AQW-24 AW-56	MRS STINER	PAGE 4107 LINE 7 " 4112 " 10	WELD ROD CONTROL	✓									
AI-3	"	PAGE 4112 LINE 13 TO " 4117 " 3	TWO WOMEN WILL BEAT MRS STINER										HARASSMENT
	"	PAGE 4143 LINE 7 TO 4147 " 5	VIOLATION OF CONFIDENTIALITY BY NRC										
AW-54	"	PAGE 4147 LINE 21 TO 4154 " 1	WEAK WELDING	✓	✓								
AW-49 AW-55	"	PAGE 4154 " 2 " 4155 " 9	PLUG WELDING	✓	✓								
AQ-48	"	4155 10 4162 28	TORQUE SEAL	✓									
AQW-24 AW-56	"	4162 21 4168 7	ROD CONTROL	✓	✓								
AW-58 AW-58	"	4169 7 4169 25	BAD FLOW OF TUBE STEEL	✓	✓								
AW-7 AW-53	"	4170 23 4172 16	COUNTERFEIT WASHERS										
AQ-55? AQW-79	"	4172 17 4177 3	CABLE LINER- CRAFTSPEOPLE DOING NOT	✓									
AQ-30? AQ-25 AQ-34	"	4177 4 4179 5	POLAR CRANE NCR	✓	'								
AQ-31 AQ-39	"	4179 6 4181 4	VOIDING NCR'S	✓									
	"	4182 5 4184 24 4192	INSPECTORS WERE REFUSED COPIES OF TRAINING RECORDS AND NCR'S	✓									[redacted] HARASSMENT
AI-4	"	4193 1 4196 20	MOVED FOUR TIMES										HARASSMENT
	MR STINER	4207 3 4207 21	NRC WAS NOT CATCHING THE PROBLEMS										
	"	4210 3 4210 12	NRC DID NOT INVESTIGATE ALL THE ALLEGATIONS										
AW-54	"	4210 14 4219 17	WEAK BEADING	✓	✓								
AW-49 AW-53	"	4219 19 4222 11	PLUG WELDING	✓	✓								

9-13-82

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	AQ NO.	A NO.	SOURCE		SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
	AQ-45	MV STIMER	AQ&L 4222 thru 4224	12 20	TORQUE SEAL CONTROL	✓									
	AQ-48	"	4224 4226	21 12	MISUSE OF TORQUE SEAL	✓									
		"	4226 4229	13 13	MISDRILLING HILTI BOLT HOLES	✓	✓								
1 Report 4-23-82	[illegible]	[illegible]	4229 4230	14 2	RIGGING OF ATKINSON AND HAD CHALLENGED [illegible]						—				INTIMIDATION
	AW-56 AQW-24	"	4230 4230	3 16	WELD ROD CONTROL	✓	✓								INTIMIDATION
4/15	A1-6	"	4236 4243	2 4	[illegible] FOR ADE GOUGE (REFUSED TO REMOVE IT).										
	AQ-40	"	4243 4246	8 14	PUT HEAT NUMBERS ON HANGER STEEL COUNTERFEIT HANGER	✓	✓								
	AW-39	"	4246 4247	23 6	DOWNHILL WELDING		✓								
	AW-54	"	4269 4274	1 24	WEAVE WELDING		✓								
	AW-56 AQW-24	"	4293 4295	3 21	WELD ROD CONTROL		✓								
	AW-54	"	4295 4296	22 16	WEAVE WELDING		✓								
	AQ-42	"	4299 4300	23 15	AND TORQUE SEAL CONTROL		✓								
	AW-56 AQW-24	"	4300 4304	22 13	WELD ROD CONTROL		✓								
AWS	AQW-1 AQ-28	"	4357 4365	6 5	WELD REPAIR VS COVER UP OF BAD WELDS		✓								
	AW-54	"	4410 4433	14 [illegible]	WEAVE WELDING		✓								

SEPTEMBER 17, 1984

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AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
AQ-78	MRS STINER	page 4599 Line 1 4601 4	TORQUE SEAL APPLIED BY UNAUTHORIZED PERSONNEL	✓									
		~~Page 4677 Q 73~~	~~TERMINATION FOR ELIGIBILITY AND REPORTING SAFETY PROBLEMS - ATCHISON~~	✓							✓		
AQW-3 AL-48		PAGE 4679 Q 74 " 4680 A 80	UNCERTIFIED INDIVIDUAL PERFORMED NDE	✓									
AW-48 AQW-3	ATCHISON	PAGE 4679 Q 75 4680 A 80	UNAUTHORIZED USE OF PT KITS BY BASCO INSPECTORS	✓									
AW-57	ATCHISON	PAGE 4684 Q 90 4684 A 90	WARPAGE OF NPS 1 PIPE WHIP RESTRAINTS	✓									
AW-54	MR STINER	PAGE 4684 Q 91 4686 A 95	~~BASE METAL~~ WELDING WAS DONE ILLEGALLY	✓									
AQ-45	MRS STINER	PAGE 4688 Q 96 4688 A 104	UNAUTHORIZED USE OF TORQUE SEAL ON HILTI BOLTS	✓									
AQ-77 AQW-24	MRS STINER	PAGE 4688 Q 105 4690 A 113	MISSING OF WELD ROWS	✓									
AQW-14 AW-49 AW-58	MRS STINER	4690 Q 114 4691 A 116	ILLEGAL USE OF PLUG WELDS	✓									
AP-4	ATCHISON	PAGE 4691 Q 117 PAGE 9692 A 120	ILLEGAL COLD SPRINGING OF PIPE	✓									
AD-6	Doyle	page 4788 Lines 5 4798 22	STABILITY PROBLEM ON HANGERS		✓								
AD-4	Doyle	PAGE 4805 ~~Line~~ Q 30 4807 A 34	THERMAL ANALYSIS OF PIPE SUPPORTS		✓								
AQW-24 AW-56	MRS STINER	PAGE 4596 Line 7 " 4598 " 2	WELD ROD CONTROL	L									
AW-54	MR STINER	PAGE 4598 3 4599 9	WEAVE WELDING	✓							BEGIN AND ~~END~~ EACH ALLEGATION " " "

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AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
AW-49 AW-50	MRS STINER	PAGE 4629 LINE 12 4630 9	PLUG WELDING										
AQ 109	ATCHISON	PAGE 4630 LINE 15 " 4634 " 14	FIRING OF ATCHISON - POROSITY DISCUSSION										
AW-54	MR STINER	" 4634 " 15 4651 " 4	WEAVE WELDING - GENERAL WELDING DISCUSSION										
AQ-48	MRS STINER	PAGE 4649 LINE 5 4658 " 18	TORQUE SEAL CONTROL										
~~AQ 109~~	~~ATCHISON~~	PAGE 4657 LINE Q6 " 4677 A65	~~FIRING~~ OF ATCHISON										
AW-35	MR STINER	PAGE 4677 Q66 4678 A73	DOWNHILL WELDING										
	ATCHISON	~~PAGE 4679 Q74 4680 A80~~	~~NOT AUTHORIZED AT LAGUNA BEACH~~										
AQ 80	ATCHISON	4680 Q81 4683 A85	RADIOGRAPHIC SURVEILLANCE										
	ATCHISON	4683 Q87 4683 A89	CABLE LUBRICANT										
	ATCHISON	~~4684 Q90 4684 A90~~	~~WELL RESISTANT REMOVE MARKINGS~~										
	~~MRS~~ STINER	~~4684 Q91 4686 A95~~	~~WELDER WELDING~~										
		~~4686 Q96 4688 A104~~	~~ALLEN BOLT TORQUING~~										
		~~4688 Q105 4690 A113~~	~~WELD ROD CONTROL~~										
AQ-6	DOYLE	PAGE 4707 LINE 4 4722 8	UNSTABLE HANGERS										
AQ-19	DOYLE	PAGE 4722 9 4727 11	FAILURE OF SUPPORT DURING HYDRO										
AQ-6	DOYLE	PAGE 4727 12 4746 3	UNSTABLE HANGERS										
AQ-7	DOYLE	PAGE 4740 4 4741 23	U BOLT RESTRAINTS, THERMAL EFFECTS										

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DISCIPLINE

AQ NO.	A NO.	SOURCE	SUBJECT	QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
AQN-69 AQ-63	BOB BRANSON	PAGE 4845 LINE 24 4846 13	WIDESPREAD USE OF LESSER QUALIFIED MECHANICAL/WELDING INSPECTORS	✓									
AQ38	BOB BRANSON	PAGE 4846 LINE 15 4846 19	FORBIDDEN TO WRITE NCR ON ANY ITEM EXCEPT THE TRAVELLER	✓									
AQ-24	BOB BRANSON	PAGE 4846 LINE 19 4846 24	INSPECTORS DEFICIENT IN ANSI N45.2.6 REQUIREMENTS	✓									
AQ-26	"	PAGE 4846 LINE 24 4846 24	INSPECTORS MISSING HIGH SCHOOL DOCUMENTATION	✓									
AQ-27	"	PAGE 4846 LINE 24 4847 6	CARBON STEEL MAG PARTICLE TEST COUPON HAS BEEN IN USE TWO YEARS	✓									
AQ63	"	PAGE 4847 LINE 7 4847 10	JEFF McCOMBS WAS PERMITTED TWO YEARS INTERIM BETWEEN SPECIFIC-GENERAL TESTS AND THE PRACTICAL	✓									
AW-31	"	PAGE 4847 LINE 4 4847 23	CLARK BOYD WELD WAS DONE TO BUTT-WELD PROCEDURES		✓								
AQ-26	"	PAGE 4848 LINE 4 4848 6	CERTIFIED AS LEVEL II INSPECTOR WITH MT & PT IN LESS THAN 6 MONTHS	✓									
AQ-28	"	PAGE 4848 LINE 12 4848 23	FALSIFIED OUT IN PT OF 175 HOURS ON BRANSON'S TRAINING DOCUMENTATION	✓									
AQ-1?	"	PAGE 4848 LINE 23 4849 7	LOW REJECT RATING QC PERSONNEL							✓			
AW-84	"	PAGE 4849 LINE 24 4850 10	EXCESSIVE GRINDING OF WELDS PRIOR TO FINAL INSPECTION.		✓								
AQ6 AQ-99 AQ-115	"	PAGE 4851 LINE 11 4851 18	15-20 HANGERS COMPLETELY LACKED MATERIAL TRACEABILITY	✓	✓						RETURNED BACK SAME	ALLEGATION	
AQ-27 thru AQ-28	JAMES YOW	PAGE 4864 LINE 3 4865 9	SEISMIC SPECS DO NOT COMPARE WITH UNIFORM BUILDING CODE		✓						" " " "	"	SATISFIED
↓	"	PAGE 4864 LINE 17 4865 9	FAILURE OF CLASS 5 LINES COULD FAIL Q LINES		✓						CHECK AQ NUMBERS		
AE-13	[illegible]	PAGE 4872 LINE 10 4877 25	NUMEROUS WIRING DISCREPANCIES					✓					

12-2-82

July 5, 1983

Volume 292 pages 8620-8683

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE O/REC'D	CROSS REF TRACK. NO	STATUS
	AI-10	ATCHISON	PAGE 8623 Line 1 TO 8624 " 3	FAILED FOR FILING NCR's + ALTERATION DETAILS OUTSIDE HIS RESPONSIBILITY.	✓	✓						✓		
		ATCHISON	PAGE 8627 Line 14 TO 8627 " 16	ASKED TO MAKE INSPECTIONS OUTSIDE HIS AREA OF RESPONSIBILITY	✓							✓		
	[illegible]	ATCHISON	PAGE 8628 Line 1 TO 8628 " 4	WRITING OF NCR'S IS DISCOURAGED										
	AW5Y		PAGE 8628 Line 5 TO 8628 " 9	WEAVE WELDING										
	AW-36 AW-60		PAGE 8628 Line 10 TO 8628 " 15	DOWNHILL WELDING										
	[illegible]		PAGE 8632 Line 10	[illegible] OF QC INSPECTORS								✓		
	AW5Y		PAGE 8634 Line 19 TO 8638 " 18	WEAVE WELDING										
	AW-36 AW-60		8640 Line 6 TO 8644 Line 13	DOWNHILL WELDS										
	[illegible]		PAGE 8676 Line 25 TO 8677 Line 20	DISCOURAGED FROM WRITING NCR's								✓		

1-23-85

July 20, 1983

Volume 29b Pages 8684 - 8721

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
Not Reported	[redacted]		PLA Page 8689 Line 4 " 8715 " 20	DISCOURAGEMENT OF NCR's										

10-17-83

Pages 8251 to 8927

R.W. BONNENBERG 9/11/85

AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS	
														BY
AI-XX		VOL. 30 PAGE 8809 LINE 16 THROUGH 8811 LINE 4	"SAFETY SIGNIFICANCE" AND "SIGNIFICANT DEFICIENCY," AND ATTENDANT JUDGMENT FACTORS.	X										RWB
AQ-XX		VOL. 30 PAGE 8811 LINE 11 THROUGH 8812 LINE 25	SHIM REQUIREMENT FOR SMALL BORE PIPE SUPPORT, AND LOCATION OF BOLT HOLES.	X										?
AQ-XX		VOL. 30 PAGE 8813 LINE 3 THROUGH 8817 LINE 4	QC INSPECTION REPORT CHECKLIST REQUIREMENT FOR JAM NUTS. DEFINITION OF "SNUG TIGHT".	X										RWB
AQE-XX		VOL. 30 PAGE 8821 LINE 10 THROUGH 8823 LINE 7	DEFINITION OF EXCESSIVE BENDING OF CABLE (OR ENGINEERING JUDGMENT).	X										RWB
AQEXX		VOL. 30 PAGE 8826 LINE 10 THROUGH 8828 LINE 16	TRAY TABLES: DISCREPANSIES IN ENTERING DATA ON THE HAND-WRITTEN CHECK SHEETS, UNAPPROVED.	X										RWB
AQ-XX		VOL. 30 PAGE 8840 LINE 14 THROUGH 8846 LINE 15	LACK OF PROCEDURAL CONTROL FOR ENTRY AND REMOVAL OF PUNCHLIST ITEMS. DISCUSSIONS ON "MASTER SYSTEM PUNCHLIST".	X										RWB
AI-1	CASE	VOL. 30 FOLLOWING PAGE 8847	REPORT BEFORE THE ASLB. STIPULATION REGARDING RESULTS OF INTERVIEWS WITH COMANCHE PEAK EMPLOYEES CONCERNING ALLEGATIONS OF	X										RWB

4-84-012

MARCH 19, 1985

VOLUME 37 PAGES 10,354 TO 10,715

AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE OF RECD	CROSS REF TRACK. NO	STATUS
AQH-2	D. STINER	PAGE 10410 LINE 19 TO 10493 LINE 7	BUYOFF ON HANGERS CAN BE DONE BY OTHER THAN ACTUAL INSPECTORS	✓	✓								
AW-28 AW-54	D. STINER	PAGE 1045 LINE 18 TO 10493 LINE 7	WEAVE WELDS.		✓								
AA-4	D. STINER	PAGE 10414 LINE 16 TO 10493 LINE 7	INSPECTOR WAS TOLD TO BUY OFF A HANGER BY HIS SUPERVISOR								✓		
AQH-24	D. STINER	PAGE 10469 LINE 1 10493 LINE 5	POOR ROD CONTROL	✓									
AQH-14 AW-49 AW-55	D. STINER	PAGE 10495 LINE 7 TO 10507 LINE 16	PLUG WELDS.		✓								
	D. STINER	PAGE 10507 LINE 11 TO PAGE 10519 LINE 19	PARAMETER CHECKS BY WELD TECHNICIANS WAS INADEQUATE	✓									
	H. STINER	PAGE 10595 LINE 2 TO PAGE 10603 LINE 22	SAME AS ABOVE	✓									
AW-54	H. STINER	PAGE 10603 LINE 24 TO 10605 LINE 21	WEAVE WELDING		✓								
AW-35 AW-40	"	PAGE 10606 LINE 23 TO PAGE 10619 LINE 23	DOWNHILL WELDING		✓								
	[illegible]	PAGE 10619 LINE 6 TO 10620 LINE 2	[illegible] A BOLT IN A HANGER (DID NOT REMEMBER IF)								✓		
AW-7 AQ-49 AH-7	"	PAGE 10620 LINE 23 TO Jab 21 LINE 24	HANGER FIELD DESIGNED THEN AS-BUILT	✓									
AW-35 AW-40	"	PAGE 10622 LINE 8 TO 10629 LINE 9	DOWNHILL WELDING		✓								
	"	PAGE 10629 LINE 10 TO LINE 19	TERMINATED FOR GIVING AFFIDAVIT (ANY COMAS)								✓		
AQH-24	"	PAGE 10633 LINE 1 TO 10659 LINE 1	ROD CONTROL	✓									
AQH-A	"	PAGE 10668 LINE 8 TO	PLUG WELDS		✓								

PREHEARING SCHEDULING MEETING
(6-14-84) PGS. 13868-14050

AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
			OL-2 CASE DEALING WITH ITIMIDATION ALLEGATIONS										
		Pg. 13897 LN. 20 to LN. 24	~~CASE CONTENDS THERE WAS~~ A PATTERN AND PRACTICE OF HARASSING AND INTIMIDATION WHICH INCLUDED THREATS, COERCION, ANNOYANCES, PHYSICAL ABUSE, TERMINATION, JOB TRANSFERS, DECREASE IN COMPENSATION AND OTHER EXAMPLES.										
			PREHEARING SCHEDULING MEETING OF BOARD AND PARTIES FOR ABOVE ALLEGATIONS.										
			NO SPECIFIC'S CITED!										

J. Corbett
1-31-85

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	Impl	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
			TELEPHONE CONFERENCE (1-9-84)											
Yes - indirectly	AI46	AR-30	Pg. 38,515	ALLEGATIONS THAT MR. TOLSON IMPROPERLY HANDLED HARASSMENT AND INTIMIDATION INSTANCES, OR INAPPROPRIATELY SET POLICY WITH RESPECT TO HARASSMENT AND INTIMIDATION.						X				
Yes	AI-3	SAP 2.906 A-1	Pg. 38,531	BILL DURHAM ALLEGES HARASSMENT AND INTIMIDATION OF QC INSPECTORS.						X				
				REQUIRED FOR COMPLETION / TERMINATING PAGE NOS.										J. CORBETT 1-15-85

TELEPHONE CONVERSATION
VOLWAE JULY 18, 1984

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE REC'D	CROSS REF TRACK. NO	STATUS
401	AI-33	CASE, DAWN WALKER	VOLUME 7/18/84 pg. 38,546	CASE ALLEGATION THAT WITNESS F (DAWN WALKER), A START-UP ENGINEER, WAS HARASSED AND INTIMIDATED AND DISCOURAGED FROM REPORTING ON DEFECTS IN ELECTRICAL COMPONENTS FROM DEC 83 TO APRIL 84.	X									

Robert L Harbeson
January 15, 1984

SCHEDULING TELEPHONE CONFERENCE CALL (7-26-84)
PAGES 13,811 - 13693

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
			TELECONFERENCE (7-26-84)											
			PGS. 13811 - 13693	SCHEDULING MATTERS ~ a. PLANT DOCUMENTS b. CAT TEAM c. WELDING FINDINGS d. ANI INFORMATION e. PROTECTIVE COATINGS f. DRUG RELATED TERMINATIONS g. CYGNA PHASE I, II & III h. A500 TUBULAR STEEL i. FACTORS FOR OBE AND SSE LOADING CONDITIONS									
₹	AI-8	HATLEY	PG. 13,824 LN 24 TO 13,827 LN 14	INTIMIDATION OF DOCUMENTATION PERSONEL AND POSSIBLE EFFECTS THAT MAY HAVE HAD ON THE RECORDS. (POSSIBLY NEW CONTENTION - MR. ELLIS)										
?			PG 13,826 LN 24 TO 13,830 LN 9	ADEQUACEY OF DOCUMENTATION (MR. HATLEY / MR. ELLIS)										
	AQ0-19	A-10	PG 13831 LN 6 TO 13835 LN 10 ALSO 13863 LN 20 TO 13864 LN 12	PROTECTIVE COATINGS — a. NEAR WHITE BLAST b. SURFACE PREPARATION MAXIMUM ROUGHNESS										
?			PG 13836 LN 4 PG 13896 LN 6 TO 13916 LN 4	A-500 STEEL MATTER (PIPE SUPPORTS)										↓ CORBETT 1-18-85
				— CONT	—									

R.W. BOWNEBERG 2-14-85

AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA/QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS: BY
AQW-11 AQW-16 AQ-63		DEPOSITION OF D. STINER 7-13-84 PAGE 52,214 LINE 9, THROUGH LINE 13.	DIESEL GENERATOR SKID AND STRUCTURES. INSUFFICIENT QUALIFICATION OF ALLEGER TO INSPECT THE WORK	X									RWB
AI-4		DEPOSITION OF D. STINER 7-13-84 PAGE 52,214 LINE 14 THROUGH 52216, LINE 7	QUESTIONS REGARDING B&R POLICY AND PRACTICE TOWARD LEAVE OF ABSENCE BECAUSE OF PREGNANCY. ALLEGED HARASSMENT DUE TO REQUIREMENT TO BRING IN A DOCTOR'S STATEMENT WEEKLY STATING THAT ALLEGER WAS FIT TO WORK.	X									?
AQ-35 AQ-39 AQ-80	A-3	DEPOSITION OF D. STINER 7-13-84 PAGE 52,219 LINE 15, THROUGH 52221, LINE 13	BASE METAL DEFECT ON PLATE (SHEET) NCR WRITTEN BUT VOIDED. NO RECALL ON NCR NUMBER.	X									RWB
AQ-35 AQ-39 AQW-10 AM-17	A-54	DEPOSITION OF D. STINGER 7-13-84 PAGE 52,221 LINE 14, THROUGH 52223 LINE 24	MISSILE BARRIER DOORS, WELDED IN THE FAB SHOP. IMPROPER WELD SYMBOL ON DRAWING. INCORRECT WELD MADE.. NCR WRITTEN BUT VOIDED. NO RECALL ON NCR NUMBER.	X									RWB
AQ-38 AQ-80	A-3	DEPOSITION OF D. STINER 7-13-84 PAGE 52224 LINE 2, THROUGH 52227, LINE 19	ALLEGATION OF INSTANCES WERE A QC INSPECTOR OR OTHER PERSON WORKING FOR THE QA/QC DEPARTMENT WERE TOLD TO DO THEIR JOB IN VIOLATION OF PROCEDURES, GUIDELINES OR OTHER DOCUMENTS OR INSTRUCTIONS WHICH WERE OFFICIALLY ISSUED	X									RWB
AE-10 AI-11 AQ-80 AQ-34 AQ-35 AQ-39	A-3	DEPOSITION OF D. STINER 7-13-84 PAGE 52,227 LINE 24, THROUGH 52238, LINE 13	DISCUSSIONS ON INTIMIDATION RESULTING FROM THE WRITING OF NCRs	X									RWB

R.W. BONNENBERG 2-14-85

AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
AQ-34 AQ-80	A-3	DEPOSITION OF D. STINER 7-13-84 PAGE 52,182 LINE 15, THROUGH 52190, LINE 16.	POLAR CRANE. DAMAGE TO RAIL. NCR WRITTEN AND VOIDED. NOT WITHIN SCOPE OF THE QA PROGRAM.	X									BY RWB
AQ-11 AQ-16 AB-83		DEPOSITION OF D. STINER 7-13-84 PAGE 52,190 LINE 20, THROUGH 52,199 LINE 9	DIESEL GENERATOR SKID AND SUPPORTS FOR UNIT #1. ALLEGER FELT NOT QUALIFIED TO PERFORM INSPECTIONS, AND WAS NOT TRAINED TO READ BLUEPRINTS. ALLEGER STATED THAT IT WAS NOT HER JOB TO INSPECT VENDOR WELDS.	X									R.
AQ-34 AQ-39 AM-17		DEPOSITION OF D. STINER 7-13-84 PAGE 52,199 LINE 13, THROUGH 52202, LINE 22	MISSILE BARRIER DOORS NOT PROPERLY WELDED IN THE FAB SHOP	X									RWB
AI-4	A-44	DEPOSITION OF D. STINER 7-13-84 PAGE 52,204 LINE 1, THROUGH 52205, LINE 21	D. STEINER FREQUENT OFFICE MOVES.	X									RWB
AI-4	A-44	DEPOSITION OF D. STINER 7-13-84 PAGE 52205 LINE 22, THROUGH 52207, LINE 25	D. STEINER AND DEFINITION OF THE WORD "INTIMIDATION"	X									RWB
AI-4	A-44	DEPOSITION OF D. STINER 7-13-84 PAGE 52,210 LINE 20, THROUGH	D. STEINER MEETING WITH B&R PEOPLE FROM HOUSTON CONCERNING BENEFITS AND COUNSELLING FORMS	X									RWB

R.W. BONNENBERG 2-14-85

AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS	BY
AI-4 AI-3	A-44 A-1	DEPOSITION OF D. STINER 7-13-84 PAGE 52,126 LINE 24, THROUGH 52131, LINE 10	ALLEGER'S OFFICE AIR CONDITIONER MALFUNCTIONED; TOOK MORE THAN THREE DAYS TO REPAIR. OFFICE FURNITURE WERE INADEQUATE. OFFICE FLOOR IN POOR REPAIR. OFFICE TOO CLOSE TO THE ROAD COULD BE HIT BY A TRUCK ACCIDENTALLY INTENTIONAL.	X										RWB
AI-4	A-44	DEPOSITION OF D. STINER 7-13-84 PAGE 52,131 LINE 11, THROUGH 52135, LINE 17	ALLEGER'S MEETING WITH BROWN & ROOT PEOPLE FROM HOUSTON, TX, CONCERNING HER PREGNANCY LEAVE OF ABSENCE.	X										
AI-4	A-44	DEPOSITION OF D. STINER 7-13-84 PAGE 52,140 LINE 18, THROUGH 52153, LINE 18	BUS DRIVER REFUSED ALLEGER TO BOARD THE SITE BUS.	X										RWB
AI-4	A-44	DEPOSITION OF D. STINER 7-13-84 PAGE 52163 LINE 7, THROUGH 52168 LINE 3	STEINER ALLEGATION: THREAT OF PHYSICAL HARM.	X										RWB
AQ-26	IR 82-11	DEPOSITION OF D. STINER 7-13-84 PAGE 52,169 LINE 7, THROUGH 52171, LINE 8.	D. STINER: GED CERTIFICATE. URGED BY HER MANAGEMENT TO OBTAIN THE CERTIFICATE	X										RWB
AQ-35 AQ-34 AQ-39 AQ-80	A-3	DEPOSITION OF D. STINER 7-13-84 PAGE 52,173 LINE 4 THROUGH	THE WRITING AND VOIDING OF NCRs. AGREEMENTS AND DISAGREEMENTS BY AND WITH ALLEGER'S SUDERVISION	X										RWB

R.W. BONNENBERG 2-14-85

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
	AQ-XX		DEPOSITION OF D. STINER 7-13-84 PAGE 52,238 LINE 17 THROUGH 52240, LINE 24.	DEFINITION OF "SAFETY": SAFETY RELATED EQUIPMENT IN A NUCLEAR PLANT, AND NON-SAFETY RELATED EQUIPMENT	X									P R
	AQ-34 AQ-35 AQ-39 AQ-80	A-3	DEPOSITION OF D. STINER 7-13-84 PAGE 52,243 LINE 12, THROUGH 52245, LINE 21	WRITING AND VOIDING OF NCRs, AND DISPOSITIONING OF NCRs "AS-AS-IS" AS THE PRINCIPAL BASE OF WHAT IS CALLED INTIMIDATION	X									
401	AI-4	A-44	DEPOSITION OF D. STINER 7-13-84 PAGE 52245 LINE 22, THROUGH 52247, LINE 3	NO FOLLOW UP ON D. STINER BUS INCIDENT.	X									R
	AQ-34		DEPOSITION OF D. STINER 7-13-84 PAGE 52,247 LINE 7, THROUGH 52250, LINE 9	ALLEGER HAD SECOND THOUGHTS ABOUT WRITING UP AN NCR CONDITION. DID NOT FEEL THAT IT WOULD DO ANY GOOD	X									R
422	AI-XX		DEPOSITION OF D. STINER 7-13-84 PAGE 52,248 LINE 9, THROUGH 52248, LINE 15	PERIODIC COMPANY LETTER "CIRCUIT BREAKER" RELATED THAT ALLEGER HAD TESTIFIED ABOUT DEFECTIVE WORK.	X									R

NOV 28, 1984

Pages 21092 - 21405

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
	AQ0-4	A-11	Pg 21357 Q 35 to 21366 A 93	NO TEST PROGRAM FOR COATING, NO TESTING OF CERTAIN COATING COMBINATIONS	X						✓			
	AQ0-10	A-11 A-10	Pg 21357 Q 35 TO 21366 A 93	INADEQUATE TESTING OF COATINGS							—			
WP	AI-2		Pg 21370 Q 94 to 21374 A 134	QUALIFICATION OF QC COATING INSPECTORS							—	✓		
	AQ0-9	A-33	Pg 21378 Q 158 Pg 21380 A 162	USE OF UNSAT IR'S INSTEAD OF NCR'S							—			

PRIMARILY COVERS BRANDT'S TESTIMONY ON CORRY ALLEN ALLEGATIONS REGARDING COATINGS

RAGyles
2-8-85

45,239 - 45355 July 13, 1984
DEPOSITION

R.W. BONNENBERG 2-13-85

AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS: BY
AQ-34		DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45273 LINE 8 THROUGH 45276 LINE 7	POLAR CRANE "BUS BOX" NCR. BURN DAMAGE CAUSED BY LIVE WELD LEAD (D. STINER)	X									RWB
AQW-11 AQW-16		DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45277 LINE 10 THROUGH 45280 LINE 11	INSPECTIONS ON DIESEL GENERATOR SKID BY UNQUALIFIED INSPECTOR (D. STINER)	X									F
AQ-34 AQ-39 AM-17		DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45280 LINE 12 THROUGH 45287 LINE 1	MISSILE SHIELD DOORS IN FAB SHOP. INACCURATE WELD SYMBOL AND IMPROPER WELD ON DOOR LIFTING LUGS (D. STINER)	X									RWB
AW-54		DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45287 LINE 8 THROUGH LINE 17	IMPROPER WEAVE WELDING (D. STINER)	X									RWB
AI-1	CASE 1/83	DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45,287 LINE 21 THROUGH 45,290 LINE 1	THREAT OF PHYSICAL HARM (D. STINER)	X									RWB
AI-6 AI-13 AI-14		DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45,301 LINE 19 THROUGH 45,307 LINE 14.	TERMINATION OF QC INSPECTORS HAMILTON, KROLAK, AND SHELTON FOR REFUSAL TO INSPECT UNDER ALLEGEDLY UNSAFE CIRCUMSTANCES.	X									RWB

R.W. BONNENBERG 2-13-85

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
	AI-2		DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45311 LINE 4, THROUGH 45314, LINE 12	ARGUMENTS WITH BROWN & ROOT FOREMEN. COMPLAINT BY CORY ALLEN	X									RWB
	AQ-55 AW-42		DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45314 LINE 15, THROUGH 45,325, LINE 11	FUEL POOL LINER WELDS, UNIT 2	X									
	AQ-35 AQ-34 AQ-80	A-3	DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45328 LINE 22, THROUGH 45,334, LINE 21.	JOE KROLAK ALLEGATION THAT HIS NCRs WERE "SQUASHED"	X									RWB
	AQ-35 AQ-34 AQ-80	A-3	DEPOSITION OF C.T. BRANDT 8-16-84 PAGE 45,338, LINE 15, THROUGH 45,340, LINE 22	RESPONSE TO ALLEGATION THAT INSPECTORS WERE DIRECTED NOT TO WRITE NCRs.	X									RWB
	AQ-34	D. STINER	DEPOSITION OF D. STINER 7-13-84 PAGE 52,079 LINE 19, THROUGH 52,083 LINE 18	DAMAGE TO POLAR CRANE CAUSED BY "LIVE" WELD LEAD. NCR WRITTEN AND VOIDED	X									RWB
	AQ-54	D. STINER	DEPOSITION OF D. STINER 7-13-84 PAGE 52,085 LINE 1, THROUGH 52,105. LINE 10	UNACCEPTABLE WEAVE WELDING. VOIDING OF NCR.	X									RWB

D. STINER DEPOSITION PAGES 52000 - 52,250 July 13, 1984

R.W. BONNENBERG 2-14-85

AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE: QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
AQ-63 AQW-11 AQW-16		DEPOSITION OF D. STINER 7-13-84 PAGE 52,105 LINE 11, THROUGH 52,108 LINE 14	WELDING INSPECTION ON DIESEL GENERATOR SKID AND SUPPORT. INSPECTOR FELT UNQUALIFIED TO CONDUCT THE INSPECTIONS, AND FELT INTIMIDATED AND HARASSED. REPORTED THE SITUATION TO THE NRC	X									RWB
AQW-16 AQ-63 AQ-1 AQ-23 AQ-26 AQW-5	IR-82-11 A-7	DEPOSITION OF D. STINER 7-13-84 PAGE 52,106 LINES 11 & 12	D. STINER WAS NOT ASKED IF SHE KNEW HOW TO READ BLUE-PRINTS WHEN SHE JOINED B&R QC INSPECTION	X									RW
AQ-17 AQ-34 AQ-35 AQ-39		DEPOSITION OF D. STINER 7-13-84 PAGE 52108 LINE 15, THROUGH 52,111, LINE 20	MISSILE BARRIER DOOR LIFTING LUGS; ALLEGED IMPROPER WELDING; WELD NOT IN ACCORDANCE WITH WELD SYMBOL ON DRAWING; NCR WRITTEN BUT VOIDED BY HIGHER LEVEL OF QC MANAGEMENT	X									RWB
AI-4	A-44	DEPOSITION OF D. STINER 7-13-84 PAGE 52,111 LINE 21, THROUGH 52116, LINE 15	ALLEGER CLAIMS HARASSMENT BECAUSE OF TESTIMONY BEFORE THE ASLB, AND FELT THAT MANAGEMENT WANTED HER TO QUIT HER JOB	X									RWB
AI-3 AI-4	A-1 A-44	DEPOSITION OF D. STINER 7-13-84 PAGE 52118 LINE 5, THROUGH 52123, LINE 4	COMPLAINT OF HARASSMENT. ALLEGER WAS MADE TO MOVE FOUR TIMES IN TWO DAYS	X									RWB
AI-XX		DEPOSITION OF D. STINER 7-13-84 PAGE 52,123 LINE 7, THROUGH 52,126, LINE 22	ALLEGER DID NOT UNDERSTAND THE MEANING OF THE WORD "INTIMIDATE".	X									RWB

NRC Intimidation in an Interview of an Alleger

Mr. Dennis Culton, a former electrical helper and draftperson at CPSES, alleged that NRC Region IV inspectors intimidated him in an interview.

The evidence consists of:

Deposition of Mr. Dennis Culton (July 25, 1984), Tr. 58,500-591

a tape recording of the alleged intimidating interview

a written transcript of that interview.

- CURRENTLY MISSING. HAVE TRIED TO CONDUCT FEEDBACK INTERVIEW WITHOUT SUCCESS.
- NO TRANSCRIPTS. HE WAS INTERVIEWED BY TRT BY TELEPHONE ON 8/27, 8/28 1984
- CALVO / MASTERSON TALKED TO HIM.

FOIA-85-799

B/3

Intimidation of QC Inspector in Auxiliary Building

Mr. Robert Messerley alleged that he observed Mike Robinson, a general foreman for cable tray supports, yelling and shouting obscenities at a QC inspector for "red-tagging" too many cable tray supports.

The evidence on this incident consists of:

Deposition of Robert Messerley (July 12, 1984), Tr. 50,000-007

- TWO TRT TRANSCRIPTS 8/2, 9/19 1984 OF PERSONAL INTERVIEWS.
- ALLEGER HAS NOT BEEN GIVEN FEED BACK INTERVIEW. HE FAILED TO SHOW UP 12/17/84 IN FT WORTH. TRT PLANS TO CLOSE OUT BY LETTER
- TRT MEMBERS INVOLVED INCLUDE WESSMAN, PAUL CHEN C. HOFMAYER, L. SHAO

Intimidation of Welding QC Inspector in North Valve Room

Mr. Stanley Miles, a former iron worker at CPSES, alleged that he saw a QC inspector identify improper welding in the North Valve Room. According to Mr. Miles, the QC inspector left, saying he was going to stop it, but later returned and did not stop the improper welding.

The evidence on this issue consists of:

Deposition of Stanley G. Miles (July 12, 1984), Tr. 50,600-628

OI Report 4-84-012 (14 August 1984)

OI Report 04-84-011 (13 March 1984)

OI Report 4-84-006 at 23 (7 March 1984)

- TRANSCRIPTS E14 (PERSONAL) 11/8 (TELEPHONE) (FEEDBACK)

- TRT MEMBERS INVOLVED WESSMAN, HUBBARD, MASTERSON

Stanford Incident

Alleged intimidation regarding voided NCR written by Sue Ann Neumeyer.

Neumeyer wrote NCR on QC inspector Stanford indicating he had falsified dates, thus enabling craft to bypass QC hold points. NCR was voided. Applicants assert that dates were changed only to correct error.

The witnesses and their testimony which deal with the alleged incident are as follows:

Deposition of Sue Ann Neumeyer; August 1, 1984 (Tr. 59,540-598) and August 2, 1984 (Tr. 59,754-825) - TRANSCRIPTS 11/27/84 (PERSONAL) 12/10/84 PERSONAL TRT INVOLVED (WISSMAN, SUDANS, HASTERSON, LIVERMORE, HALE CURRY & ALSO PERSONAL INTERVIEW 8/21/84 - NO TRANSCRIPT

Deposition of Linda Barnes; July 28, 1984 (Tr. 59,006-117, 129-149) PERSONAL INTERVIEW 8/1/84 - NO TRANSCRIPT - LIVERMORE INVOLVED

Deposition of Dwight M. Woodyard; July 24, 1984 (Tr. 56,505-572)

Deposition of Jack Ray Stanford; July 25, 1984 (Tr. 57,500-587)

Deposition of John T. Blixt, Jr.; July 25, 1984 (Tr. 57,048-076)

Deposition of Robert Siever; July 25, 1984 (Tr. 58,057-105; 58,129-130)

Deposition of Gordon Raymond Purdy; July 10, 1984 (Tr. 41,156-188)

Testimony of Robert Marshall Duncan; Tr. 17,420-523 (9/19/84); Tr. 18,091-152 (9/20/84)

Testimony of Terry Matheny, Tr. 18,904-19,025 (10/1/84)

Testimony of George W. Chaney, Tr. 20,455-526 (11/26/84)

Prefiled Testimony of Richard W. Simpson; August 15, 1984 (pp. 1-38)

Prefiled Testimony of Danny Ray Wright; Augusdt 16, 1984 (pp. 1-9)

Prefiled Testimony of Ronald D. McBee; August 16, 1984 (pp. 1-24)

Prefiled Testimony of Alan Dale Justice; August 16, 1984 (pp. 1-20)

Prefiled Testimony of James Edward Zwahr and Daniel Thomas Wilterding; Augsut 15, 1984 (pp. 1-21)

Prefiled Testimony of James E. Brown, August 15, 1984 (pp 1-21)

See OI Report Q4-84-037 (12 September 1984)

Intimidation of Protective Coating QC Inspectors

Mr. William Dunham, a former protective coatings QC inspector at CPSES, alleged that he was aware of attempts by his supervisor, Mr. Harry Williams, to intimidate protective coatings QC inspectors.

The evidence consists of the Department of Labor Transcript of William Dunham's Section 210 complaint, Dunham v. Brown & Root, Inc., 84-EPA-1 (February 13-14, 1984). See especially:

Testimony of William Dunham, DOL Tr. 236-48

Testimony of Thomas Miller, DOL Tr. 303-305

Testimony of Raymond Yockey, DOL Tr. 309-319

Testimony of Evert Mouser, DOL Tr. 321-370

Testimony of Myron Krisher, DOL Tr. 371-415

Testimony of Gordon Purdy, DOL Tr. 420-465

Testimony of Thomas Brandt, DOL Tr. 472-512

OI Report 4-83-001 (24 August 1983)

OI Report 4-83-013 (3 November 1983)

OI Report 4-83-016 (26 July 1983)

OI Report 4-84-006 at 19, 21 (7 March 1984)

OI Report Q4-83-025 (10 February 1983)

OI Report Q4-83-026 (18 October 1983)

- TRT TRANSCRIPT 3/13/84 PRESENT, HAWKINS, LITTERI AND COURT REPORTER
- ALLEGAR HAS BEEN CONTACTED FOR FURTHER DISCUSSIONS BUT HAS NOT RESPONDED
- TRT TRANSCRIPT ON TOM MILLER 11/20/84. TRT INVOLVED MCCRACKEN, WELLS ZUDANS. ALSO 8/16/84 INTERVIEW - NO TRANSCRIPT

William Dunham's Termination

Allegation that QC inspector was terminated because of his complaints concerning QC.

Dunham's termination paper states he was terminated for insubordination. Dunham filed a complaint with the Department of Labor claiming he was fired for criticizing the QC program, and one Harry Williams in particular.

The parties have stipulated that Dunham's testimony is contained in the record of the DOL hearing, Dunham v. Brown & Root Inc., 84-EPA-1 (February 13 and 14, 1984).

During the evidentiary depositions in this proceeding, Applicants presented further testimony on circumstance surrounding Mr. Dunham's termination:

Deposition of Gordon Raymond Purdy; July 10, 1984 (Tr. 41,247-259)

Deposition of C. Thomas Brandt; July 11, 1984 (Tr. 45,196-198)

Deposition of Myron G. "Curly" Krisher July 9, 1984 (Tr. 37,011-064

Testimony was also given by Applicants during the hearing sessions of September 11 and 18, 1984:

Testimony of B. R. Clements; Tr. 15,460-63 (9/11/84)

Testimony of Thomas Brandt; Tr. 16,777-794 (9/18/84)

By Order dated November 30, 1984, the ALJ in the DOL proceeding dismissed Dunham's complaint (Dunham v. Brown & Root, Inc., 84-EPA-1, "Recommended Decision and Order").

OI Report 4-83-016 (27 July 1983)

OI Report Q4-83-025 (10 February 1983)

OI Report 4-83-001 (24 August 1983)

• SEE PREVIOUS PAGE ON TRANSCRIPTS

T-Shirt Incident

Intervenor alleged that electrical QC inspectors wearing T-Shirts were intimidated by management.

Certain electrical QC inspectors were wearing T-shirts referring to "nitpickers." They were subsequently sequestered by management and their desks searched. (There is a question of their prior involvement with "destructive testing" prior to the incident.) Some of those involved were later transferred or terminated. Applicatns assert management might have overreacted, but the actions taken were not intimidation.

Evidentiary depositions:

Deposition of Mark Welch; July 16, 1984; (Tr. 53,000-264)

Deposition of Kenneth Whitehead; July 17, 1984; (Tr. 55,000-164)

Deposition of Jack Pitts; July 31, 1984; (Tr. 73,500-553)

Deposition of Ronald Tolson; July 10, 1984 (Tr. 40,546-562)

Deposition of B. R. Clements; July 10, 1984; (Tr. 40,096-105)

Deposition of Thomas Brandt; July 11, 1984; (Tr. 45,128-149)

Deposition of Boyce Grier; July 11, 1984; (Tr. 45,591-599)

Deposition of Gordon Purdy; July 10, 1984 (Tr. 41,198-199)

Deposition of James Cummins; July 17, 1984 (Tr. 54,008-055)

Hearing Testimony:

Testimony of Michael Spence, Tr. 14,924-930 (9/10/84)

Testimony of Antonio Vega, Tr. 15,055-060; 15,191-193; 15,197-251; 15,278-416 (9/10/84)

Testimony of B. R. Clements, Tr. 15,418-428; 15,470-503; 15,514-521 (9/11/84)

Testimony of Thomas Brandt, Tr. 16,107-133; 16,175-201 (9/13/84)

Testimony of Gordon Purdy; Tr. 16,358-373 (9/13/84)

Testimony of Ronald Tolson, Tr. 16,399-575 (9/14/84); Tr. 16,652-658 (9/18/84)

Testimony of Gregory Bennetzen, Tr. 17,745-934; 17,954-968 (9/20/84)

Testimony of David Chapman, Tr. 17,969-18,031 (9/20/84)

Testimony of Doyle Hunnicutt, Tr. 18,515-669 (10/1/84)

OI Report 4-83-001 (24 August 1983)

Liner Plate Traveler Incident (A)

Sue Ann Neumeyer alleged that she was intimidated into signing off on QC weld hold points on liner plate travelers.

Neumeyer allegedly was ordered to sign off QC weld hold points for fitup and cleanliness on travelers for the stainless steel liner plates of the Unit 2 reactor cavity. Her signature was to be verified by inspection chits purportedly done by other inspectors for these hold points a few years previously. Neumeyer did not agree that the chits matched the hold points she was to sign. She alleges she was compelled to sign under threat of losing the upcoming weekend off. Applicants assert that the procedure Neumeyer was to follow was proper and therefore she was not intimidated.

[Note: This allegation has resulted in another separate issue at the hearings following the evidentiary depositions, the adequacy of the QC weld documentation for the liner plates. See Deposition of C. Thomas Brandt; August 16, 1984 (Tr. 45,239-355).]

Evidentiary depositions:

Deposition of Sue Ann Neumeyer; August 1, 1984 (Tr. 59,516-536, 59,640-676) and August 2, 1984 (Tr. 59,773-825)

Deposition of Meddie Gregory; July 31, 1984 (Tr. 54,596-617)

Deposition of Dwight Woodyard; July 24, 1984 (Tr. 56,561-566)

Deposition of John Blixt; July 25, 1984 (Tr. 57,015-036)

Deposition of Robert Siever; July 25, 1984 (Tr. 58,024-056)

OI Report Q4-84-C37 (12 September 1984)

- Neumeyer – (Also Meddie Gregory, Dobie Hatley, Linda Barnes)
  - 12-10-84 Feedback Interview (Malonson, Hale, Curry, Wenzel, Watson)
  - 8-1-84 Feedback Interview (Gregory & Barnes) (Jay Harrison, Wessman, Dean Summers)
  - 11-27-84 (Gregory, Hatley, & Neumeyer) (Wessman, Hou, Hubbard, Masterson, Livermore)

- Meddie Gregory
  - See 8-1-84 Transcript above
  - See 11-27-84 Transcript above
  - See 12-10-84 Transcript above

Liner Plate Traveler Incident (B)

Intervenors alleged that there was a QC breakdown in the documentation of the liner plate welds.

As a result of documentation which was supplied by Applicants in the course of testimony on "Liner plate traveler incident (A)," Intervenors raised the issue of an overall QC breakdown in the QC process as applied to the liner plate welds. Applicants responded with testimony ostensibly refuting each of the alleged deficiencies. [Note: The subject of the adequacy of QC inspections and their documentation of the liner plate welds has been looked into by the TRT. The TRT's conclusion is not yet known.]

Evidentiary record:

The background and context for this issue is in the material listed in "Liner plate incident (A)."

Deposition of C. Thomas Brandt; August 16, 1984 (Tr. 45,239-355) "CASE's Evidence of a Quality Control Breakdown" dated September 27, 1984

Prefiled Testimony of C. Thomas Brandt; October 3, 1984 (Tr. 45,356-480)

"CASE's Further Evidence of a Quality control Breakdown in the Construction, Installation and Inspection of the Stainless Steel Liner Plate" dated November 15, 1984

Testimony of C. Thomas Brandt, Tr. 15,629-697 (9/12/84); 15,978-16,214 (9/13/84); 16,728-777 (9/18/84); 17,264-363 (9/19/84); 20,569-774 (11/26/84); 20,778-21,091 (11/27/84)

Voiding of NCR on Polar Crane

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleged that an NCR which she wrote regarding a hole in the polar crane rail was improperly voided and the hold tag improperly removed.

The evidence on this allegation consists of:

Deposition of Mrs. Stiner (July 13, 1984), Tr. 52,005-010, 52,079-084, 52,182-190, CASE Exhibit 667, pp. 54-55.

Deposition of C. Thomas Brandt, Tr. 45,273-76 (submitted as prefiled written testimony)

OI Report 4-84-008 (9 July 1984)

OI Report 4-84-006 at 26 (7 march 1984)

- STINER, DARLENE & HENRY — 1-9-85 Transcript Feedback Interview
  - Present (Jerry Ellis, Juanita Ellis, Darlene Stiner Henry Stiner)
  - NRC present - Bob Masterson, Ernie Thompson Joseph Tapia

Weave Welding on a Pipe Support in the Auxiliary Building

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleges that she wrote an NCR identifying unacceptable weave welds on a pipe support in the Auxiliary Building. According to Mrs. Stiner, she was intimidated by craftworkers and by her supervisor, Harry Williams, into improperly accepting the welds on the NCR.

The evidence on this allegation consists of:

Deposition of Mrs. Stiner (July 13, 1984), Tr. 52,010-16, 52,085-105

Deposition of C. Thomas Brandt, Tr. 45,287 (submitted as prefiled written testimony)

In addition, substantial testimony on this allegation was received by all parties in the technical portion of this proceeding. See generally:

March 19-20, 1984 hearing session transcripts, Tr. 10,383-11,018

April 24, 1984 hearing session transcript, Tr. 12,138-285

OI Report 4-84-008 (9 July 1984)

OI Report 4-84-006 at 26 (7 March 1984)

• See page 11

Welding of Diesel Generator Skids

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleges that she was harassed and intimidated by her supervisor, Harry Williams, when he assigned her to conduct inspections of welds on the diesel generator skids for CPSES, even after she protested that she was unqualified to conduct these inspections.

The evidence on this issue consists of:

Deposition of Mrs. Stiner (July 13, 1984), Tr. 52,016-024, 52,105-108, 52,190-199

Deposition of C. Thomas Brandt, Tr. 45,276-80 (submitted as prefiled written testimony)

See OI Report 4-84-0086 (9 July 1984); 4-84-006 (7/19/84)

• See page 11

Weld Symbols on Doors

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, contends that she was told by Thomas Brand to improperly accept doors which had not been properly welded in accordance with the design drawings for the doors.

The evidence on this allegation consists of:

Deposition of Mrs. Stiner (July 13, 1984), Tr. 52,020-23, 52,108-111, 52,199-202

Deposition of C. Thomas Brandt, Tr. 45,280-287 (submitted as prefiled written testimony)

• See page 11

Harassment Due to Relocation of an Office

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, claims that she was harassed by Applicants after giving testimony in the July 1982 hearing session in this proceeding. The harassment consisted of moving her office four times over a two-day period, and of finally placing her in a shack that she claimed was unsturdy, dirty, unairconditioned for three days, and smaller than her original office.

The evidence on this incident consists of:

Deposition of Mrs. Stiner (July 13, 1984), Tr. 52,024-034, 52,118-129, 52,204-205, 52,530-31

Deposition of Ronald Dempsey (July 20, 1984)

Deposition of Jimmie D. McClain (July 20, 1984)

Deposition of C. Thomas Brandt, Tr. 45,253-67 (submitted as prefiled written testimony)

See OI Reports 4-84-006 (3/7/84); 4-84-008 (7/9/84)

* See page 11

Harassing Telegram Accusing Mrs. Stiner of Improperly Copying Documents

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleges that a letter sent by Applicants' counsel to Mrs. Juanita Ellis, President of CASE (as well as the other parties) accused here of stealing and lying, and threatened her termination if caught. In actuality, a telegram, not a letter, was sent to Mrs. Ellis, and the telegram did not accuse Mrs. Stiner of lying and stealing. Rather the telegram suggests that Mrs. Ellis was improperly encouraging Mrs. Stiner to copy and remove documents from on-site.

The evidence and relevant material consists of:

Deposition of Mrs. Stiner (July 13, 1984), Tr. 52,059-60

Telegram (attached to CASE's Motion for Protective Order) (August 12, 1982)

Deposition of C. Thomas Brandt, Tr. 45,248-51, 45,252-54 (submitted as prefiled written testimony)

• See page 11

Incidents Intended to Have Mrs. Stiner Leave CPSES

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, related a series of incidents which she believes were intended to force her to leave her employment at the CPSES site. These related incidents are: (1) meetings with Ronald Tolson and C. Thomas Brandt where Mrs. Stiner claims they pressed her about her health and her ability to continue work due to her pregnancy; (2) Mr. Brandt's request that she bring a doctor's note in each week to certify her capability to work; and (3) an incident where she was refused admittance to a bus carrying workers to CPSES, which she blames upon articles in the Circuitbreaker (a company newsletter distributed at the site).

The evidence consists of:

Deposition of Mrs. Stiner (July 13, 1984), Tr. 52,025-27; 52,034-53; 52,111-119, 52,131-171; 52,202-203; 52,208-219, 52,232-242

Affidavit of David K. Egbert (August 1, 1984)

Deposition of C. Thomas Brandt, Tr. 45,241-52 (submitted as prefiled written testimony)

Testimony of Ronald Tolson, Tr. 51,044-45

Deposition of David Chapman (August 2, 1984), Tr. 76,522-527, and Exhibit 7

See OI Reports 7-84-006 (3/7/84); 4-84-008 (7/9/84)

• See page 11

• Cory Allen
• Interview Transcripts 11-21-83
• present (Frank Hawkins, Claude Johnson)

Cory Allen

Cory Allen testified as a Board witness on September 18-19, 1984. Mr. Allen was employed as a coatings inspector at CPSES from January 1983 to December 1983. Because Mr. Allen was employed by Ebasco Construction Services, his administrative supervisor was C. Thomas Brandt; however, his field supervisor was Harry Williams and later Fred Dunham and Evert Mouser. Considering his background includes an undergraduate degree in Chemistry, a graduate degree in Polymer Science, and previous engineering and inspection experience at several nuclear plants, Mr. Allen was one of the most qualified QC inspectors ever employed at CPSES.

Mr. Allen recounted several incidents relating to harassment and intimidation. The first incident involved Mr. Allen's job interview with Mr. Brandt. According to Mr. Allen, as a result of his meeting with Mr. Brandt, he had a strong impression that notwithstanding his expertise, Mr. Brandt did not want him to question QC procedures or engineering judgments. The second incident involved a concern Mr. Allen had regarding ALARA review and reviews of design change authorizations (DCAs). According to Mr. Allen, he raised these questions to Cecil Manning, Training Quality Engineer, who was unable to answer his questions. Mr. Manning instead took Mr. Allen to Ron Tolson's office to discuss the matter. At that meeting, according to Mr. Allen, Mr. Tolson indicated to Mr. Allen that he was not to concern himself with engineering matters but instead was to concentrate all of his efforts on performing inspections. Mr. Allen was later called to discuss the same matter with Mr. Brandt. As a result of these encounters, Mr. Allen testified that he was reluctant to write an NCR unless it was a "garden-variety" type NCR.

The third instance of harassment alleged by Mr. Allen involved members of the painting crew. According to Mr. Allen, he was ordered by Mr. Haley, a paint foreman, and other painters to perform inspections. Mr. Allen stated that if he did not accede readily to their demands, a complaint would be lodged with his supervisor, Harry Williams, who invariably sided with craft.

The fourth incident involved an NCR written by Mr. Allen reporting an indeterminate substance on a coated surface which he had inspected. Mr. Allen testified that after writing the NCR Harry Williams told him to not to report for work the next day but instead report directly to Mr. Brandt on his next scheduled work day. During this meeting, Mr. Brandt questioned Mr. Allen's judgment and suggested that he was paranoid.

The final incident recounted by Mr. Allen involved the alleged use by painters of cigarette filters in the spray painting equipment. In Mr. Allen's view, painters inserted cigarette filters in the cheater valves of spray guns to pass the air acceptability inspection because the filters made the air supply appear cleaner than it was; the painters then would remove the filters after the test. Before Mr. Allen could report this alleged non-conforming condition, however, a complaint was lodged with Mr. Allen's supervisors. A meeting was held between Mr. Allen, Mr. Brandt,

Jim Bracken, the paint foreman, and Mr. Williams. According to Mr. Allen, Mr. Brandt sided with the painters because Mr. Allen did not have personal knowledge that the filters were removed by painters subsequent to the air acceptability test and because the use of cigarette filters was not a violation of any procedural requirement. Consequently, Mr. Allen did not write an NCR. It should be noted that the Technical Review Team has confirmed Mr. Allen's allegation.

Citations to the testimony by Mr. Allen and Applicants on the matters described above are as follows:

A. Mr. Allen's initial meeting with Mr. Brandt

Tr. 17,945-47 (9/19/84 (Allen)
Tr. 21,445-47 (12/3/84 (Brandt)
Tr. 21,350-52 (11/28/84) (Brandt)
Tr. 21,105-225 (11/28/84 (Brandt)
Tr. 21,180-84 (11/28/84) (Brandt)

B. Mr. Allen's Meeting with Tolson and Brandt Concerning ALARA Review and Design Change Authorization

Tr. 16,902-10 (9/18/84) (Allen)
Tr. 17,025-032 (9/19/84) (Allen)
Tr. 21,353-366 (11/28/84) (Brandt)
Tr. 21,125-35 (11/28/84) (Brandt)
Tr. 21,187-237 (11/28/84) (Brandt) (NCR re reactor core cavity)
Tr. 17,042-056 (9/19/84) (Allen) (NRC re reactor core activity)
Tr. 21,455-508 (11/28/84 (Brandt) (NCR re reactor core activity)
Tr. 22,453-526 (Manning) (12/18/84)

C. Harassment by Painters

Tr. 16,858-64 (9/18/84) (Allen)
Tr. 16,812-16 (9/18/84) (Allen)
Tr. 21,370-74; 21,400-04 (11/28/84) (Brandt)
Tr. 21,243-63 (11/28/84) (Brandt)
Tr. 21,434-41 (12/3/84) (Brandt)
Tr. 21,490-96 (12/3/84) (Brandt)

E. Detergent on Coated Surface NCR

Tr. 16,863-81 (9/18/84) (Allen)
Tr. 21,374-377 (11/28/84) (Brandt)
Tr. 21,263-272 (11/28/84) (Brandt)
Tr. 21,441-445 (12/3/84) (Brandt)

F. Cigarette Filer Incident

Tr. 16,884-91 (9/18/84) (Allen)
Tr. 21,383-86 (11/28/84) (Brandt)
Tr. 21,275-294; 21,409-417; 21,449-451; 21,496-508 (12/3/84) (Brandt)

OI Report 4-83-016 at 13 (26 July 1983)

O. B. Cannon Witnesses: Lipinsky Trip Report

In July 1983, Joseph J. Lipinsky, Director of Quality Assurance for Oliver B. Cannon & Son, Inc. (OBC), visited CPSES to evaluate Applicants' coatings program in connection with a consulting agreement between TUGCO and OBC. Mr. Lipinsky spent three days at CPSES observing the coatings program and speaking with site personnel. After he returned to OBC's corporate headquarters in Philadelphia, Mr. Lipinsky wrote a report to Robert R. Roth, OBC president, detailing his observations and conclusions regarding Applicants' coatings program. In his report Mr. Lipinsky expressed the view that the coatings program was plagued by many problems including lack of painter qualification, poor traceability and storage of materials, quality control reporting to craft, and TUGCO management's lack of commitment to quality. Mr. Lipinsky's report concluded with two explosive observations: (i) that parallels could be drawn between the CPSES and Zimmer plants; and (ii) that OBC bid for a "rework" contract with TUGCO because little, if any, of the coatings work already in place was salvageable.

The Lipinsky trip report somehow found its way into the hands of the NRC, the Intervenors, and the Dallas/Ft. Worth news media. The public disclosure of the Lipinsky trip report set off a chain of events culminating in the recanting by Mr. Lipinsky of the concerns and conclusions expressed in his trip report. The reasons behind Mr. Lipinsky's turnabout is the subject of this aspect of the intimidation proceeding. The testimony relevant to this inquiry may be found at:

Tr. 18,672-18,903 (10/1/84) (Norris)

Tr. 19,034-19,139 (10/2/84) (Norris)

Tr. 19,722-19,846 (11/19/84) (Lipinsky)

Tr. 19,851-20,092 (11/20/84) (Lipinsky)

Tr. 20,092-20,179 (11/20/84) (Roth)

Tr. 20,180-20,450 (11/20/84) (Roth)

Tr. 20,541-21,748 (12/3/84) (Roth)

Tr. 21,754-22,006 (12/4/84) (Lipinsky)

Tr. 22,012-22,208 (12/5/84) (Lipinsky)

Tr. 22,309-22,452 (12/17/84) (Evid. Dep. of H. Brooks Griffin)

Tr. 22,527-22,822 (1/3/85) (Evid. Dep. of Evert Mouser)

Tr. 22,823-23,111 (1/5/85) (Evid. Dep. of Evert Mouser)

Tr. 23,112-23,422 (1/7/85) (Norris)

Tr. 23,423-23,734 (1/8/85) (Norris)

Termination of Henry Stiner

Henry Stiner, a welder, alleged that he was terminated for reporting a gouge in a pipe to a QC inspector.

Stiner allegedly discovered a gouge in a pipe near where he was welding on a pipe hanger. His foreman supposedly wanted to cover it up and witnessed Stiner showing the gouge to QC inspector Sue Ann Neumeyer. Shortly thereafter Stiner was terminated. Applicants assert Stiner was terminated for absenteeism.

Evidentiary depositions:

Deposition of Henry Stiner; July 13, 1984 (Tr. 51,500-721)

Deposition of Sue Ann Neumeyer; August 2, 1984 (Tr. 59,694-827)

Deposition of Jimmie Green; July 9, 1984 (Tr. 35,000-078)

Deposition of John Hallford; July 19, 1984 (Tr. 70,000-059)

Deposition of Fred Coleman; July 9, 1984 (Tr. 35,079-125

* See page 11

Valve disk incident

Linda Barnes alleged that when she brought a discrepancy in valve disk numbers to the attention of her supervisor, he told her it didn't matter, which made Barnes "discouraged."

Linda Barnes was shown a traveler by Meddie Gregory with a valve disk number which did not match the disk number of the Data Report. When she brought this to the attention of her supervisor, Gregory Bennetzen, he told her it didn't matter and would cost too much money to check. Applicants assert that it really didn't matter and deny that cost would be a factor if the discrepancy were real.

Evidentiary depositions:

Deposition of Linda Barnes: July 28, 1984 (Tr. 59,012-017; 080-107; 174-208; 216-236)

Deposition of Gordon Purdy; July 10, 1984 (Tr. 41,139-156; 266-267)

Testimony:

Prefiled Testimony of Gordon Purdy; Tr. 41,331-336 (8/16/84)

Prefiled Testimony of Gregory Bennetzen; pp. 16-17 (8/16/84 and 8/18/84)

LINDA BARNES

- 12-10-84 Interview Transcript
  - Present (Barnes, Hatley, Gregory, Neumeyer)
  - NRC Present (Malonson, Hale, Curry, Wenzel, Watson)
- 8-1-84 Interview Transcript
  - Present (Gregory & Barnes)
  - NRC present (Harrison, Wessman, Summers)

Pressure on N-5 Viewers

Meddie Gregory alleged that undue pressure was applied to QA/QC document reviewers.

Meddie Gregory alleged that her supervisor, Gregory Bennetzen pressured/ intimidated the N-5 document reviewers by: (1) demanding 40 iso's a week; (2) threatening the use of job shoppers; (3) commenting on company loyalty.

Evidentiary depositions:

Deposition of Meddie Gregory; July 17, 1984 (Tr. 54,520-526); July 31, 1984 (Tr. 54,562-641)

Testimony:

Prefiled testimony of Gregory Bennetzen; pp. 3-16 (8/16 & 8/18/84)

Prefiled testimony of Gordon Purdy; Tr. 41,323-331 (8/16/84)

Testimony of Gordon Purdy; Tr. 16,268-307 (9/13/84)

• See page 9

QES Review Sheet Incident

Meddie Gregory alleged that her supervisor ordered a reviewer to sign off a QES review sheet without doing the review.

Gregory alleged that Bennetzen ordered a reviewer, Darby, to sign off on a QES cover sheet when the original was missing without having Darby do the review. Applicants assert that this is an acceptable practice.

Evidentiary depositions:

Deposition of Meddie Gregory; July 17, 1984 (Tr. 54,526-528); July 31, 1984 (Tr. 54,641-644; 714-716)

Testimony:

Prefiled testimony of William Darby; pp. 4-12 (8/18/84)

Prefiled testimony of Gordon Purdy; Tr. 41,315-323 (8/16/84)

Testimony of Gordon Purdy; Tr. 16,243-268 (9/13/84)

• See page 9

Reduction of Force (ROF) Incident

Meddie Gregory alleged that there is something wrong with the way employees are selected for a ROF.

Gregory alleged that the more qualified people were ROF'd. Applicants response is that there is a comprehensive, mainly objective method of selection.

Evidentiary depositions:

Deposition of Meddie Gregory; July 17, 1984 (Tr. 54,534-538); July 31, 1984 (Tr. 54,644-657)

Testimony:

Prefiled testimony of Gordon Purdy; Tr. 41,337-355 (8/16/84)

Testimony of Gordon Purdy; Tr. 16,310-379; 16,384-387 (9/13/84)

• See page 9

WITNESS F
• DANNY WALTERS
• 11-27-84 Interview Transcript
• Present – Walters, Vincent Noonan, John Zudans

Witness F

Witness F was a system test engineer ("STE") employed by Impell Corporation at CPSES from September 1982 through April 1982. Witness F was assigned to the Electrical Startup Group, which is part of the Startup Organization. (Deposition of Witness F (July 18, 1984), Tr. 55,517-18; Deposition of Arthur Lodon (August 15, 1984), pp. 12-13). Witness F described five incidents which he believed were examples of intimidation or threats against him. In brief, these are: (1) an allegation that Fred Powers told Witness F, "You're treading on thin ice," in response to Witness F's refusal to sign a startup work authorization ("SWA") because of his belief that there was an inconsistency between ES-100 and Regualtory Guide 1.75 ("R.G. 1.75"); (2) that Dick Camp tried to discourage Witness F from calling the NRC on the ES-100/RG-1.75 conflict; (3) an allegation that Ivan Vogelsang threatened Witness F that he would get John Merritt to "pull his chain;" (4) that Ken Luken harassed Witness F in connection with a problem with ferro-resonant transfers; and (5) that Art London told Witness F that if he had enough time to find problems (such as the ferro-resonant transformer problem and the apparent conflict between ES-100 and RG 1.75) that he had time to do more work. The testimony relating to these incidents may be found at:

A. Disagreement With Fred Powers and Dick Camp

Tr. 55,620-44 (7/18/84) (Evid. Dep. of Witness F)

Tr. 75,510-640 (7/18/84) (Evid. Dep. of Fred Powers)

Tr. 77,009-17 (8/2/84) (Evid. Dep. of Ivan Volgelsang) (Vol. I)

Tr. 76,011-099 (8/2/84) (Evid. Dep. of Dick Camp) (Vol. I)

Tr. 76,215-250 (8/3/84) (Evid. Dep. of Dick Camp) (Vol. II)

Tr. 53,390-443 (7/20/84) (Disc. Dep. of Witness F)

Tr. 34-72 (8/15/84) (Prefiled testimony of D. Arthur London)

Tr. 14,621-71 (9/9/84) (Witness F)

B. Alleged Harassment By Ivan Vogelsang

Tr. 55,650--679 (7/18/84 (Evid. Dep. of Witness F)

Tr. 77,017-200 (8/2/84 (Evid. Dep. of I.W. Vogelsang) (Vol. I)

Tr. 76,101-164 (8/2/84) (Evid. Dep. of Dick Camp) (Vol. I)

Tr. 74-84 (8/15/84) (Prefiled Tesimony of D. Arthur London)

Tr. 14,671-89, 14,704-43 (9/9/84) (Witness F)

C. Alleged Harassment by Ken Luken

Tr. 55.680-86 (7/18/84) (Evid. Dep. of Witness F)

Tr. 78,509-538 (8/3/84) (Evid. Dep. of Kenneth L. Luken)

Tr. 76,164-181) (8/2/84) (Evid. Dep. of Dick Camp) (Vol. I)

Tr. 84-88 (8/15/84) (Prefiled Testimony of D. Arthur London)

D. Alleged Harassment By D. Arthur London

Tr. 55,686-89,706 (7/18/82) (Evid. Dep. of Witness F)

Tr.94-153 (8/15/84) (Prefiled Testimony of D. Arthur London)

Tr. 14,608-21 (9/9/84) (Witness F)

Tr. 14,697-704 (9/9/84) (Witness F)

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(4)

ANALYSIS OF INTIMIDATION AND DISCRIMINATION AT COMANCHE PEAK

1. INTIMIDATION INCIDENT Arvil Dillingham (JR)

a) Name, position and duties of person subject to intimidation;
Arvil Dillingham (JR) - Boilermaker - CPSES 1975-1982

(B&R 1970)

b) Name, position and duties of person alleged to have intimidated;
Franklin, B&R project manager
Charles Scruggs - General Superintendent
George Tauley - Site Superintendent James Cathcart - supports Dillingham
Feltham, Rice - B&R Corporate managers
Jack Dodd, lawyer, Cathcart, Al Swan (panel) -

c) Names and positions of other persons either subject to or involved in the incident; QCI Mike Robinson, Transcends Golden or Fred Nichols), regarding welder Avery.

d) Area of work involved - welding, coatings, etc.; Generally welding

e) Date and place of incident; Numerous instances 1975-1982
Welds on supports, Full, part time, all tank supports, sheet ok, ~~cat heads~~,

f) the nature of the statement or action;
Franklin - brought up prospective transfer to Startrus
Tauley (continuously) Handle it or I'll get someone who will
Get you out to the field and we will take care of the paperwork. Put JD in this case
Anonymous phone call - "You're dead" (on the tape)
Tauley/Scruggs - regarding QCI "GD overcompliant" "Knock some GD brains out"
Cathcart - "if that man (Avery) didn't have his arse hooked together
RIFF on the end of the week that they was wanted"
Rice/Feltham - "Good" brought up Chuck Atkins case continuously

g) the intent of the person making the statement of taking the action;
Shut up from the ass

Perform less than quality work, - production

h) the perception of the recipient of the statement or action; and perform less than quality work.

i) the positions of and relationship between the person making the statement or taking the action and the recipient. B&R superintendents or managers

2. The effect of the statement on the recipient including any specific failures to report safety problems and the basis for the conclusion that the effect occurred. There was no information given on reporting safety problems by JR. Noted inadequate conditions which could be checked out by USC / TUGCO / BIR

3. Analysis of the incident using Panel's Definition of intimidation/harassment. Actions against Mr Dillingham were definitely harassment/intimidation and resulted in less than quality work at the cost of a job. Finally, after going to Houston, had to quit work

4. Reference to documents where incident is described such as Investigation Reports, deposition, hearing transcripts, etc. (title, dated, pages). OI 4-84-006 page 12 and attachments Nuclear news - Dillingham / Cox. TRT followups.

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ANALYSIS OF INTIMIDATION AND DISCRIMINATION AT COMANCHE PEAK

1. INTIMIDATION INCIDENT Robert Messenly alleged harassment intimidation and threats to a QC man (inspector)

a) Name, position and duties of person subject to intimidation; "QC Man" (name unknown) responsible for inspecting the welding of supports in the Auxiliary Bldg

b) Name, position and duties of person alleged to have intimidated; Mike Robinson, General Foreman of Cable Tray Supports

c) Names and positions of other persons either subject to or involved in the incident; Alleger said a crowd was there to witness the incident, but he gave no names.

d) Area of work involved - welding, coatings, etc.; Welding at supports

e) Date and place of incident; 1979 (Month no known)

f) the nature of the statement or action; In 1979 the alleger was a supervisor in the cable tray and reban group. He witnessed an incident in which Mike Robinson cussed and threatened (with closed fist) a QC man (name unknown). Robinson grabbed the QC man by the shoulders and shook him and placed his fist in his face and directed the QC man to start passing his hangers and to quit red tagging them.

g) the intent of the person making the statement of taking the action; Intent not known, but inferred that the QC man was to stop identifying deficiencies

ANALYSIS OF INTIMIDATION AND DISCRIMINATION AT COMANCHE PEAK

1. INTIMIDATION INCIDENT Robert Messenger alleged harassment intimidation and threats to a QC man (inspector)

a) Name, position and duties of person subject to intimidation; "QC Man" (name unknown) responsible for inspecting the welding of supports in the Auxiliary Bldg

b) Name, position and duties of person alleged to have intimidated; Mike Robinson, General Foreman of Cable Tray Supports

c) Names and positions of other persons either subject to or involved in the incident; Alleger said a crowd was there to witness the incident, but he gave no names.

d) Area of work involved - welding, coatings, etc.; Welding of supports

e) Date and place of incident; 1979 (Month no known)

f) the nature of the statement or action; In 1979 the alleger was a supervisor in the cable tray and rebar group. He witnessed an incident in which Mike Robinson cussed and threatened (with closed fist) a QC man (name unknown). Robinson grabbed the QC man by the shoulders and shook him and placed his fist in his face and directed the QC man to start passing his hangers and to quit red tagging them.

g) the intent of the person making the statement of taking the action; Intent not known, but inferred that the QC man was to stop identifying deficiencies.

Time-Line

Attached is a time-line of CPSES alleged incidents of intimidation summarized in the Treby incident outline. Solid brackets ([ ) indicate an event occuring over an extended period of time. Dotted brackets ([..) indicate an approximate time-frame in which a single incident occurred.

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Jan

1979

Messerly: Intimidation of Q.C. Inspector in Auxilary Building (Sometime in '79)

Held by - Coller

Dec

Jan

1980

Jan

March — D. Steiner: Weave welding on a Pipe Support

May — D. Steiner: welding D. Generator Skids (not satisfied)

1981

June

July — H. Steiner: Termination of H. Steiner

Dec

Jan

Early '82 — Mikes: Intimidation of a welding Q.C. inspecter in N. Valve Room

June

1982

July-Sept 13 — D. Steiner: Telegram re: improper copying

July-Sept — D. Steiner: Relocation of an office

Sept. 13-14 — D. Steiner: Bus incident

Sept-Dec. — D. Steiner: Harressment to leave

Oct — D. Steiner: Weld Symbols on Doors

Dec

Jan

Jan-Dec — Dunham: Intrm. of Protective Coatings Inspectors

Cory Allen (5 incidents)

Spring-Early Summer — Neumeyer: Liner Plate Traveler incident

May-Dec — Witness F: Dick Camp (ES-60/RG-1.75 conflict) and Fred Bowers (SWA's)

1983 — June

Mid-Summer — D. Steiner: Polar Crane, voiding an NRC

July — Lipinski: O.B. Cannon trip report

August — Dunham's termination

Sept — L. Barnes: Valve Disc incident

Dec

Jan.

Mid-Jan — Neumeyer: Stanford incident

Jan 24 — Witness F: Vogelsang "pull his chain"

Feb 8 — F: Lukins, ferro-resonant transformers

Early 84 — F: Lukins, problem finding + quantity of work comment

March 8 — T Shirt incident

1984 — June

Late June — M. Gregory: Pressure on N-5 Viewers

Late June, Early July — M. Gregory: GES Review Sheet incident

July — M Gregory: ROF Incident

Dec.

ABSTRACT

Supplement 13 to the Safety Evaluation Report for the Texas Utilities Electric Company application for a license to operate Comanche Peak Steam Electric Station, Units 1 and 2 (Docket Nos. 50-445, 50-446), located in Somervell County, Texas, has been prepared by the Comanche Peak Intimidation Panel of the U. S. Nuclear Regulatory Commission. This Supplement provides the results of the evaluations of approximately cases of allegated intimidation and harassment of QA/QC employees at the Comanche Peak facility. Many of these have been addressed at recent Atomic Safety and Licensing Board hearings. The Comanche Peak Intimidation Panel and a study team which served as consultants to the panel have reached a conclusion regarding individual incidents of alleged intimidation, the climate of intimidation at the Comanche Peak site, and the management implications of the intimidation issues.

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APPENDIX P - Status of the Comanche Peak Intimidation Panel Evaluation of Allegations of the intimidation and harassment of QA/QC employees at Comanche Peak Steam Electric Station, Units 1 and 2 . . . . . .

1 INTRODUCTION

On July 14, 1981, the U. S. Nuclear Regulatory Commission (NRC) issued a Safety Evaluation Report (SER) (NUREG-0797) related to the application by the Texas Utilities Electric Company (TUEC) for a license to operate Comanche Peak Steam Electric Station (CPSES) Units 1 and 2. Subsequently, twelve supplemental Safety Evaluation Reports (SSERs) were issued by the staff. This report, Supplement No. 13, is an SSER dealing with various allegations of intimidation and harassment of QA/QC employees at Comanche Peak. This report addresses approximately 35 allegations of intimidation and harassment. Appendix P to this report provides details of the evaluation and findings of these allegations by the Comanche Peak Intimidation Panel.

The allegations of intimidation and harassment at Comanche Peak were part of the regulatory issues that remained outstanding as construction of the Comanche Peak facility neared completion. The Atomic Safety and Licensing Board presiding over the proceedings related to the CPSES operating license application had determined in March 1984, that it must address and resolve the allegations of intimidation and harassment in order to resolve the only remaining contention (Contention 5) in the proceeding. The Board began its proceedings on the intimidation and harassment issues in the Summer of 1984.

In July 1984, consultants were retained by the Project Manager of the Comanche Peak Technical Review Team (TRT) to assemble a study team and review the record of intimidation and the work climate at the CPSES site, and to develop an expert opinion as to the existence of a climate of intimidation amoung QA/QC personnel

at the site. Attachment 1 to Appendix P is the report, issued in September 1984, in which the study team concluded that a climate of intimidation did not exist at CPSES. Since the study team's effort did not include an independent assessment of individual incidents of alleged intimidation and did not include a review of all of the depositions, testimony and investigation reports relating to alleged intimidation incidents at CPSES, NRC management decided that the report would not constitute an overall assessment of the intimidation and harassment issue for CPSES, but that this report will be used as one input into the determination of the intimidation and harassment issue.

The study team was subsequently tasked to expand their effort to include all available information related to the intimidation issue. In a parallel effort the NRC's Executive Director for Operations (EDO) issued a directive on December 24, 1984, establishing a panel (Comanche Peak Intimidation Panel) to provide a position on the intimidation question to NRC upper management. The study team was subsequently brought into close communication with the intimidation panel and became consultants to the panel. Attachment 2 to Appendix P is a listing of the allegations of intimidation reviewed by the panel and the study team.

Attachment 3 to Appendix P provides a supplement to the initial report of the study team and includes their evaluation of each alleged incident of intimidation. The Comanche Peak Intimidation Panel has reviewed the results of the consultant's evaluation and concurs with their findings. The recommendations of the intimidation panel are discussed in Section 5. of Appendix P.

Management and coordination of all the outstanding regulatory actions for Comanche Peak are under the overall direction of Mr. Vincent S. Noonan, the NRC Comanche Peak Project Director. Mr. Noonan may be contacted by calling 301-492-7903 or by writing to the following address:

Mr. Vincent S. Noonan
Division of Licensing
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Copies of this Supplement are available for public inspection at the NRC's Public Document Room at 1717 H Street, NW, Washington, D. C. 20555, and the Local Public Document Room, located at the Somervell County Public Library On The Square, P. O. Box 1417, Glen Rose, Texas, 76043. Availability of all material cited is described on the inside front cover of this report.

The Comanche Peak Intimidation Panel and the Advisors and Consultants to the Panel are listed below:

Panel Members

Axelrad, J.	-	Enforcement Staff, IE, NRC
Gagliardo, J.	-	Technical Training Center, IE, NRC
Hunter, D.	-	Reactor Projects Branch - 2, DRP, RIV, NRC
Lieberman, J.	-	Regional Operations Enforcement Division, ELD, NRC

Panel Advisors

Griffin, B.	-	OI Field Office, RIV, OI, NRC
Ippolito, T.	-	Office for Analysis and Evaluation of Operational Data, NRC
Kaplan, B.	-	EG&G
Noonan, V.	-	Comanche Peak Project, NRR, NRC
Scinto, J.	-	Hearing Division, ELD, NRC
Treby, S.	-	Hearing Division, ELD, NRC

The EG&G Study Team and their Consultants are listed below:

Andognini, G.	-	Independent Consultant
Bowers, D	-	Rensis Likert Associates
Kaplan, B.	-	EG&G
Margulies, N.	-	Graduate School of Management, University of California at Irvine
Rice, C.	-	LRS Consultants
Stratton, W.	-	Idaho State University

APPENDIX P

STATUS OF STAFF EVALUATION AND RESOLUTION OF ALLEGATIONS OF INTIMIDATION AND HARASSMENT OF QA/QC PERSONNEL AT COMANCHE PEAK STEAM ELECTRIC STATION UNITS 1 AND 2

1. Introduction

As construction of the Comanche Peak Steam Electric Station was nearing completion, issues that remained to be resolved prior to the consideration of issuance of an operating license were complex, resource intensive, and spanned more than one NRC office. To ensure the overall coordination and integration of these issues, and to ensure their resolution prior to licensing decisions the NRC's Executive Director for Operations (EDO) issued a memorandum on March 12, 1984, directing the NRC's Office of Nuclear Reactor Regulation to manage all necessary NRC actions leading to prompt licensing decisions, and assigning the Director, NRC's Division of Licensing, the lead responsibility for coordinating and integrating the related efforts of various offices within the NRC.

The principal areas needing resolution before a licensing decision on Comanche Peak can be reached include: (1) the completion and documentation of the staff's review of the Final Safety Analysis Report (FSAR); (2) those issues in contention before the NRC's Atomic Safety and Licensing Board (ASLB); (3) the completion of necessary NRC regional inspection actions; and (4) the completion and documentation of the staff's review of technical concerns and allegations regarding design and construction of the plant.

Only one contention (Contention 5) remained unresolved in the CPSES operating license application proceeding. Contention 5 alleges:

> The Applicant's failure to adhere to the quality assurance/ quality control provisions required by the construction permits for Comanche Peak, Units 1 and 2, and the requirements of Appendix B of 10 CFR Part 50, and the construction practices employed, specifically in regard to concrete work; mortar blocks; steel; fracture toughness testing; expansion joints; placement of the reactor vessel for Unit 2; welding; inspection and testing; materials used; craft labor qualifications and working conditions (as they may affect QA/QC and training and organization of QA/QC personnel, have raised substantial questions as to the adequacy of the construction of the facility. As a result, the Commission cannot make the findings required by 10 CFR § 50.47(a) necessary for issuance of an operating license for Comanche Peak.

The ASLB decided in March 1984, that in order to resolve Contention 5, it must address the allegations of intimidation and harassment. Prehearing conferences were held in June 1984; depositions were taken in July and August 1984; pre-hearing testimony was filed in August 1984, and the hearings commenced on September 10, 1984. The hearings will continue after the issuance of this SSER.

In July 1984, the Director of the Comanche Peak Project, who was also the Manager of the Technical Review Team (TRT), retained the services of a group of consultants to form a study team. The study team was tasked to investigate the work climate at the CPSES and develop an expert opinion as to whether or not a climate of intimidation was created by CPSES management among the QA/QC personnel. Attachment 1 is the study team's report (September 1984) which concluded that a climate of intimidation did not exist at CPSES.

Since the study team's effort did not include an independent assessment of individual incidents of alleged intimidation and it did not include a review of all of the depositions, testimony and investigation reports relating to

intimidation issues at CPSES, NRC management decided that the report would not constitute the agency's position on intimidation and harassment issues at CPSES. The report would, however, be used as one of the inputs into the agency's determination of the intimidation and harassment issues.

The study team was subsequently tasked to expand their effort. The expanded effort would have the study team review all of the documentation available on the known cases of alleged intimidation. The additional documentation to be reviewed included depositions taken in July and August 1984, prehearing testimony filed in August 1984, transcripts of the hearings which began on September 10, 1984, and OI investigation and inquiry reports.

Attachment 2 is a listing of the allegations of intimidation reviewed by the study team.

As the Comanche Peak TRT neared the completion of its efforts, a decision was made by NRC management to establish a panel to evaluate the TRT findings and the findings of other inspection, review, and investigation efforts at CPSES and to determine the relationship between these findings and Contention 5 issues. Management also decided to have a panel of senior managers review and evaluate all intimidation and harassment issues to establish an agency position on intimidation at the CPSES site.

On December 24, 1984, the EDO issued directives establishing a Comanche Peak Contention 5 Panel and a Comanche Peak Intimidation Panel. The intimidation panel was tasked with providing NRC upper management with a position on the

intimidation question at CPSES. The intimidation panel and the study team were subsequently brought together to discuss their respective findings. Because the efforts of the two groups were duplicative, and the findings of the two groups were identical for those cases which were reviewed by both groups, it was decided to use the study team as consultants for the intimidation panel and to use the study team's findings as the basis of this report.

Attachment 3 is the study team's supplemental report. This report supplements the original report (Attachment 1) and documents the results of the study team's review of the additional material provided to them after there initial effort.

This report is the product of the Comanche Peak Intimidation Panel's efforts to satisfy its charter (Attachment 4). The intimidation panel's charter required that the panel, (1) provide NRC upper management with a position on the intimidation question at CPSES, and (2) provide input to the Comanche Peak Contention 5 Panel. The panel's findings regarding individual incidents of intimidation are discussed in Section 3. The panel's findings regarding the climate of intimidation at CPSES and the management implications of the findings are provided in Section 4. Section 4 also addresses the actions required by the applicant to improve the confidence of CPSES employees in their management and dispell the detrimental effect of past actions which were either outright intimidating or were of a management style that would provide the right chemistry for future acts of intimidation.

The incidents of intimidation may constitute potential violations of NRC rules and regulations. These potential violations have not been addressed in this SSER, but will be reviewed by the NRC Region IV staff. The Region IV staff will initiate the appropriate followup actions.

2. Allegation Review Process

2.1 Definition

The number one action item in the intimidation panel's charter was to define the criteria for determining if an incident involved actions that constitute intimidation or harassment. The panel looked for definitions of intimidation and harassment which may have been used for other cases. Definitions of intimidation had been offered by the parties to the hearing during the pre-hearing conference. The Enforcement Staff of the Office of Inspection and Enforcement had developed a definition for harassment and discrimination in a previous enforcement action (EA-83-132) involving Comanche Peak.

The study team had also defined intimidation in its September 1984 report (Attachment 1). The panel also obtained the definition of intimidation used by the Office of Investigation in their investigations. The panel found that none of the above definitions appeared to collectively satisfy the judgment of the panel members as to what elements must exist to have an act of intimidation.

After much discussion and deliberation the panel agreed to the following definitions of intimidations, harassment and discrimination:

> Intimidation or Harassment: Incidents, statements or other actions that are reasonably likely to influence employees to refrain from performing safety-related work in accordance with requirements or identifying or reporting quality discrepancies or safety problems.
>
> Discrimination: The showing of prejudice in the treatment of employees for performing safety-related work or reporting quality discrepancies or safety problems to their management or to the NRC. The showing of prejudice may include adverse actions such as discharge or other actions that relate to the terms, conditions, and privileges of employment.

These definitions were used by the panel in determining incidents of intimidation. The study team also used this definition in their supplemental review of the alleged incidents of intimidation.

It is noted that the major point of departure of these definitions from those of other sources is that under the above definition, for an act of intimidation to have occurred, it is not necessary for the intimidated person to actually do something contrary to requirements, or to refrain from performing an action in accordance with requirements. The criteria calls for a judgment as to whether or not the action is reasonably likely to influence an employee to take an action that is contrary to a requirement. Under other definitions the "thick skinned" employee may never be influenced to violate requirements, but the same actions may cause another reasonable employee to violate requirements because of fear of reprisals.

The other definitions had restricted acts of intimidation to those against only QC inspectors. The intimidation panel's definition expands the definition of intimidation to actions directed toward any individual who performs quality activities. Therefore actions which would influence a craftsman to do quality related construction activities that are contrary to requirements (procedures or specification) or to refrain from reporting known deficiencies has been intimidated.

2.2 Documentation Reviewed

The intimidation panel and the study team reviewed all of the documentation available for the alleged incidents of intimidation. The documents that were reviewed included:

a. Transcripts of the ASLB hearings on intimidation issues,

b. Selected transcripts of ASLB hearings on technical issues related to the alleged intimidation incidents,

c. Depositions taken in July and August 1984 prior to the intimidation hearings,

d. Prefiled testimony of witnesses called into the intimidation hearings,

e. Selected transcripts of followup interviews conducted by the TRT staff,

f. OI investigation and inquiry reports related to the alleged intimidation incidents,

g. Department of Labor Transcripts related to the alleged discrimination against a CPSES QC inspector.

2.3 Review Format

In performing the review of the alleged intimidation events the intimidation panel considered a number of factors related to the event. These factors included:

a. The position/s and duties of the person or persons subject to the alleged intimidation event;

b. The position/s and duties of other persons involved in the alleged intimidation event such as fellow workers or observers;

c. The position and duties of the person or persons alleged to have intimidated the subjects and the relationship (supervisor - employee, etc.) between the alleged intimidator/s and the recipient/s of the intimidating action;

d. The date and place of the alleged intimidating event and the area of work involved (welding, coatings, etc.);

e. The perceived or implied intent of the person or persons taking the alleged intimidating action; and

f. The perceptions of the recipient (person/s being intimidated) of the recipient (person/s being intimidated) of the alleged intimidating action.

2.4 Panel Review and Discussion

After the intimidation panel had been formed and the definitions and review format had been established, the panel began its efforts to determine the scope of the overall task. In the Section of the Charter (Attachment 4) entitled, "Action Items", the appropriate data base for the review was listed and included:

a. The study team report (Attachment 1);

b. Enforcement packages issued by IE that related to the alleged intimidation events;

c. Depositions taken by the parties to the hearings;

d. The proposed finding on the Comanche Peak intimidation issues that were filed by the parties to the hearings;

e. Transcripts of the ASLB hearings related to the intimidation issues;

f. OI reports of investigations and inquiries into alleged intimidation events; and

g. Transcripts of the Department of Labor hearings into issues of intimidation, harassment and discrimination.

To assist in this effort the staff counsel in these proceedings provided the panel with copies of the proposed findings of fact that had been filed by each party to the proceedings and with a listing of the deposition, transcript and other references related to each of the intimidation issues before the ASLB (this was not a complete listing of the issues).

The panel was also briefed by the OI investigator involved in the investigation of CPSES intimidation issues. He also provided each of the panel members with a copy of the investigation and inquiry reports that had been issued on the alleged intimidation events that were investigated by OI.

Since the volume of the data base was much too large to be reviewed by each of the panel members in a reasonable time, the panel decided to divide the review among each of the panel members. Each member was assigned a number of alleged intimidation events and was tasked with the responsibility to review all of the available material applicable to their assigned events using the format in Section 2.3 as guidance. Upon completion of the reviews, each panel member

was to discuss with the panel during a scheduled panel meeting, the details of each assigned event, the result of his/her review, and any issues associated with the events. The panel was then to make a collegial decision as to whether or not the event constituted an act of intimidation as defined in Section 2.1.

The panel began its review of the provided data in late December 1984 and began the collegial review of the findings in February 1985.

2.5 Interaction With Study Team

As the review and evaluation of the data proceeded, the panel became aware of the parallel efforts of the study team which was now operating under its expanded charter. A decision was made to have a combined meeting of the intimidation panel and the study team to compare preliminary findings.

The intimidation panel and the study team met on February 15, 1985. At that time the intimidation panel had completed about one-third of its reviews and the study team had essentially completed the review of the material assigned to them. During the discussions between the two groups, it was found that for those events which had been reviewed by both groups, similar conclusions were drawn.

When this fact was communicated to the NRC management having responsibility for the efforts of the intimidation panel and the study team, it was decided to adopt the panel's recommendations and discontinue the duplication of effort and to have the study team function as consultants to the intimidation panel. The

study team's effort was to be further expanded to include a review of additional intimidation data (they had not reviewed all of the OI reports) and their supplemental and initial reports would be used as the basis for this SSER.

The study team was provided with the additional OI reports on intimidation that had not been reviewed by them. This material was reviewed and the results of the review were included in their supplemental report.

The study team and intimidation panel met on several occasions (in person or by conference call) to discuss the findings and review the study team's reports. The product of these efforts is Attachment 4 and represents the collective position of the study team.

3. Conclusions

3.1 Study Team Conclusions

The study team performed a detailed review of all of the data available for each of the alleged intimidation events listed in Attachment 2. The conclusions of the study team for each of these events is documented in Appendix B of the Study Team's Supplemental Report (Attachment 3). As noted in Section 2.5 above, the intimidation panel had several discussions with the study team regarding their findings. For those events which had also been reviewed in detail by the panel, the panel's conclusions were similar to those of the study team.

The discussions enabled the intimidation panel to have an understanding of the other events and the basis for the study team's conclusion. It is noted that although the intimidiation panel did not review the "other events" in detail, the panel members had reviewed enough of the material related to these events to have a working knowledge of the events. The intimidation panel fully endorses the findings of the study team.

3.2 Events/Documents Not Reviewed by the Study Team

3.2.1 Discussion

There were five alleged or suspected incidents of intimidation that were reviewed by the intimidation panel and not by the study team. Three of these events were reviewed by only the intimidation panel because they were forwarded to the panel late in the review process, and the preliminary review by the panel chairman resulted in his determination that the alleged or suspected events were not significant enough to require a review by the study team. These events were subsequently reviewed and discussed by the panel which concurred in this decision.

The other two events were documented in OI investigation reports. Because of the sensitive nature of the material in the OI reports, it was decided that copies of these documents would not be provided to non-NRC employees, but could be reviewed in the OI offices in Bethesda, MD. Since the study team was composed of consultants, they were not provided with copies of these documents, and since the study team members lived and worked in the western half of the country, it was not practical to bring them in to Bethesda for the review.

The intimidation panel reviewed the investigation reports. The results of that review are discussed below. The panel also reviewed an investigation report that had not been provided to the study team, but involved an intimidating event which had been reviewed by the study team using the other available data. The results of the panel's review of this report is also discussed below.

3.2.2 Intimidation Panel Conclusions

A description of each event and the findings of the intimidation panel are discussed below.

a. On January 15, 1985 the Comanche Peak Project Director forwarded to the intimidation panel a portion of the transcript of the deposition of a former CPSES QC inspector (Mr. Mouser). The material was forwarded to the panel at the suggestion of the Chairman of the ASLB. During the deposition Mr. Mouser stated that he had informed Mr. Tolson (TUEC QA Manager) as to how he and his fellow workers were going to review and verify individual DCAs (Design Change Authorizations) and CMCs (Component Modification Cards). Mr. Tolson became upset and told them, "No. That's not the way I want it done." Mr. Mouser and his supervisor went back to Tolson, and Tolson agreed to allow them to do the review as they had originally proposed.

   This incidents does not constitute an act of intimidation, because there is no evidence that Mr. Tolson's action might have caused a reasonable individual to do something that was contrary to existing requirements, and he changed his position at the urging of his employees.

b. On January 28, 1985 the Comanche Peak Project Director forwarded to the intimidation panel a portion of the transcript of Mr. Mouser's deposition in which he alleged that an OI investigator had apparently disclosed confidential information to the applicants. There was nothing in this material that could be linked to an event of intimidation.

c.

d. OI Investigation Report 4-83-013 was the report of an investigation to determine if QC inspectors were intimidated by the termination, by Brown & Root, of a former QC inspector (Charles Atchison). The investigator interviewed 76 past and current QC inspectors at CPSES. Only one of the inspectors said that he had been intimidated at CPSES, but none of them indicated having failed to report a deficiency or document a nonconforming condition. Three of them did indicate that they were more careful in their inspection and NRC writing after Atchison's termination. The QC inspector who indicated that he had been intimidated said there had also been attempts to intimidate him directly, and he named other QC inspectors who had been intimidated. The QC inspectors he named were interviewed and denied that they had been intimidated. The results of the other interviews tended to question the credibility of the QA inspector who said he had been intimidated.

The intimidation panel concludes that the facts presented in this investigation report do not support a finding that other workers were intimidated by the firing of Mr. Atchison.

e. OI Investigation Report 4-84-006

f. OI Investigation Report 4-83-001 documented the OI investigation of the alleged intimidation of Mr. Bill Dunham's supervisor (Harry Williams) who had threatened to terminate QC painting inspectors who continued to "nit pick." The investigation report added nothing to the other information that was made available to the study team regarding this event. The study team and the intimidation panel have concluded that this event did constitute an act of intimidation and the above investigation report supports that conclusion.

3.3 TRT Finding In The Area Where Intimidation Occurred

On March 21, 1985 the intimidation panel met with the team leaders and other selected members of the TRT to determine if technical concerns had been found in those areas in which the panel had found intimidation events to have occurred. The following is the list of identified events of intimidation as reported in Attachment 3 followed by the TRT findings for each of the areas in which the intimidation occurred:

(1) D. Stiner - Weave Welding on Pipe Supports.

This area was examined by both Region IV and the TRT. Neither group could substantiate the allegations made by Ms. Stiner.

(2) D. Stiner - Circuit Breaker Article

There is no technical area associated with this intimidating event.

(3) W. Dunham - Intimidation of Coatings Inspectors

The TRT Coatings Group found that the inspection procedures in this area were inadequate and that the QC inspectors had missed the big picture and were not finding the pinholes in the coatings. They did find a higher than normal percentage of faulty coatings, but could not conclude that it could be attributed to the inspectors having been intimidated.

(4) W. Dunham - Termination

The higher than normal percentage of faulty coatings at CPSES may be linked to this intimidating event, but there is insufficient information to indicate that this was a major or contributing cause.

(5) S. Neumeyer - Liner Plate Traveller Incident

The QA/QC Team of the TRT did find a concern in the documentation of this area (see writeup on AQ-55 and AQ-78 in SSER-11), but the Civil/ Structural Group found no significant problem in liner plate welds (see AC ___ in SSER-8).

(6) C. Allen - ALARA and DCA Reviews

This issue was addressed in AQO-36 of SSER-9. The Coatings Team of the TRT found approximately eight discrepancies were significant. The generic implications of the allegation is being reviewed as part of the applicant's corrective action plan for TRT findings.

(7) C. Allen - Detergent on Coated Surface

The TRT Coatings Team reviewed this issue and determined that the detergent on the coatings was not a detriment to the coatings.

(8) C. Allen - Cigarette Filter Incident

This issue was reviewed by the TRT Coatings Team (see AQO-17 in SSER-9) and they concluded that small amounts of water and oil in the paint would have had no impact on its adherence properties. Large quantities of water and oil would have been obvious to a trained QC inspector.

(9) T-Shirt Incident

The T-Shirt incident was addressed by the QA/QC Team (see AQ-46 in SSER-11) and the Electrical Team (see E'ectrical Category No. 5 in SSER-7). Neither team could find any indication that the incident had a negative impact on their areas.

(10) S. Neumeyer - Stanford Incident

The TRT found no problem with the documentation of the welds in question in this allegation, but there was a question as to whether or not the non-destructive testing of the welds had been performed.

4. Management Implications

4.1 Climate of Intimidation

In Attachments 1 and 3, the study team concluded that there was no climate of intimidation at CPSES. Based on the definition of "Climate of Intimidation" used by the study team, the intimidation panel agrees with that conclusion.

The panel agrees that with the small number of intimidation events for a large site like CPSES, it would be difficult to argue that there was pervasive incidence of intimidation. The intimidation panel is concerned, however, that the management style at CPSES (to be addressed in Section 4.2) establishes a work environment in which the right chemistry exists for intimidation (actual or perceived) to occur given the right set of circumstances. This is an area that needs immediate attention and is addressed in Section 5.

4.2 Management Style

In Attachments 1 and 3, the study team addressed the management style and interface problems (See Sections 3.3 and 3.4 respectively) as indicated by the depositional data and the survey data. The intimidation panel is also concerned about the apparent autocratic/bureaucratic style in the behavior of CPSES management.

During the interchanges with TRT personnel (Section 3.3) the panel was informed that the TRT personnel observed an atmosphere characterized by the employees' ~~fear of management at CPSES.~~

The concerns expressed by the TRT members, and the collective finding of the study team and the intimidation panel, dictate a need for action on the parts of TUEC management. If the findings of TRT, Region IV, ASLB, NRR, and others indicate that Unit 1 has been safely constructed and can be licensed, the intimidation panel recommends that action must be taken to assure that the management style of the TUEC organization which is charged with the operation of Unit 1, and the organization charged with the continued construction of Unit 2, must be changed to one which will provide the most assurance of safety.

5. Action Required

The Comanche Peak Intimidation Panel cannot provide "the solution" to the concern of management style discussed in Section 4.2. There is no one solution, such as the replacement of one or more people, or a reorganization, that will turn around the problems of the past and instill a "safety first" attitude throughout the organization with no more fear or distrust of management. This cannot be done overnight. It will require a great deal of study of the organization itself, of the strengths and weaknesses of the people in the organization, and of the attitudes of the organization and the individuals in the organization.

The panel is not arguing for tieing management's hands. Management has every right to expect performance from its work force, and efforts to meet reasonable performance goals are also for the public good. But the achievement of a performance goal can never justify a shortcut that will impact on safety.

Quality requirements and specifications are established to assure the safety of the public and in this industry they cannot be ignored. The entire organization must know this and be reminded of this often, and any actions of an individual or group of individuals which communicate another message must be dealt with promptly for all to see. The intimidation panel recommends that an independent study be initiated to identify the long-range program for developing such an atmosphere at CPSES. In the interim, management must take an objective look at the past problems and take whatever reasonable steps are necessary to change the attitudes of management and employees alike and establish, and hold fast to, a "safety first" goal. These efforts must also be directed at establishing trust between the employees and management. There can be no fear of reprisals for anyone who identifies safety concerns. This is to be the case for the QC inspectors but also for the craftsmen who, because they are human, will occasionally make a mistake. They must know that they will not face reprisals because they admit their errors and take measures to correct them.

fear of management at CPSES. Since CPSES's ~~Apparently, being~~ a non-union project there is apparently no internal grievance system, so that each employee holds his or her position at the whim of management. If there is such a system, there is no indication from the record that it was effectively used.

In sum, it is the panel's view that the atmosphere created by the management style at the CPSES facility does not necessarily lead to improper construction or quality control. We assume that many projects have been built with an unquestioning autocratic management style. However, it is the view of the panel that an important ingredient for an effective QA program to monitor the quality of construction is an atmosphere where employees may freely raise safety related concerns to an interested management. While it is clear that employees did raise concerns even those making allegations of intimidation, there was a perception, whether valid or not, that some management did not truly want to hear concerns nor did they always provide adequate explanations to questioning employees. This is not to say that every employee has valid concerns. ~~But it is the company that~~ The ability hires, trains, and directs the activities of the employee, but if the company is going to keep the employee in a responsible position, it must be satisfied that the employee understands his or her job. It cannot keep the employee in a responsible position and not provide adequate explanations regarding his/her concerns. Failure to do so ~~is~~ is an ~~this~~ employee ~~not~~ attitude of ~~to~~ not caring which will result in the employee ~~but not to~~ carrying out the expected [illegible]. The panel cannot conclude, however, that the company's management style contributed in any way to the quality assurance issues at Comanche Peak. Poor management training, management direction could also have caused or contributed to the quality assurance issues.

5. Action Recommended

The concerns expressed by some TRT participants and the collective findings of the stu eam and the intimidation panel suggest a need for action by TUEC management. The panel recommends that action should be taken to assure that the management style of the TUEC organization is conducive for a quality project. There is no one course of action that is recommended such as the replacement of one or more managers, or a reorganization, or changing procedures to develop an internal grievance procedure for changing the attitudes and perceptions of the past. Licensee's management should take an objective look at the past incidents described in this SSER as well as the current situation at the site, ~~using~~ outside independent consultants as appropriate and take steps as necessary to assure a quality first attitude for its management and employees. The overall efforts should be directed at establishing trust between employees and management to eliminate any fear of reprisals for anyone who identifies safety concerns or questions safety practices.

In making these recommendations it is important to reiterate that the panel is not finding there is a pervasive climate of fear or that the licensee's management style in fact contributed to quality issues. But given the examples described in the record and perceptions of some TU members ~~were prepared to identify those members as to reference TRT~~ the panel believes that a concerned management would ~~in the panel's view~~ take aggressive and dynamic action to ~~to~~ and erase any question of a potential problem of intimidation or harrassment.

The use of ~~ and should be considered.

(8)

5/23/85

This is the latest revision to our SSEA-13 and reflects the comments submitted by the Intimidation Panel members.

If you have an opportunity, we would appreciate your comments.

FOIA 85-799
B/8

ABSTRACT

Supplement 13 to the Safety Evaluation Report for the Texas Utilities Electric Company application for a license to operate Comanche Peak Steam Electric Station, Units 1 and 2 (Docket Nos. 50-445, 50-446), located in Somervell County, Texas, has been prepared by the Comanche Peak Intimidation Panel of the U. S. Nuclear Regulatory Commission. This Supplement provides the results of the evaluations of approximately __ cases of allegated intimidation and harassment of QA/QC employees at the Comanche Peak facility. Many of these have been addressed at recent Atomic Safety and Licensing Board hearings. The Comanche Peak Intimidation Panel and a study team which served as consultants to the panel have reached a conclusion regarding individual incidents of alleged intimidation, the climate of intimidation at the Comanche Peak site, and the management implications of the intimidation issues.

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ACRONYMS AND ABBREVIATIONS

AEC	-	U. S. Atomic Energy Commission
ALARA	-	As Low As Reasonably Achievable
ANI	-	Authorized Nuclear Inspector
ASME	-	American Society of Mechanical Engineers
B&R	-	Brown & Root, Inc.
CAR	-	Corrective Action Request
CASE	-	Citizens Association for Sound Energy
CAT	-	Construction Appraisal Team (NRC)
CFR	-	Code of Federal Regulations
CMC	-	Component Modification Cards
CP	-	Comanche Peak
CP	-	Construction Permit
CPSES	-	Comanche Peak Steam Electric Station
DCA	-	Design Change Authorization
DCC	-	Document Control Center (TUEC)
DL	-	Division of Licensing (NRC)
DRP	-	Division of Reactor Projects (RIV/NRC)
EA	-	Enforcement Action
EDO	-	Executive Director for Operations (NRC)
ELD	-	Office of Executive Legal Director (NRC)
ES	-	Extraction Steam
FSAR	-	Final Safety Analysis Report
GAP	-	Government Accountability Project
GED	-	General Equivalency Diploma
G&H	-	Gibbs & Hill
IE	-	Office of Inspection and Enforcement (NRC)
INPO	-	Institute for Nuclear Power Operations
IR	-	Inspection Report (NRC)
JTG	-	Joint Test Group (TUEC)
MCC	-	Motor Control Center (GE)
MD	-	Maryland State
N/A	-	Not Applicable
NASA	-	National Aeronautics and Space Administration
NCR	-	Nonconformance Report (TUEC)
NDE	-	Nondestructive Examination
NDT	-	Nondestructive Testing
NERVA	-	Nuclear engine for rocket vehicle application
NOV	-	Notice of Violation (NRC)
NRC	-	U. S. Nuclear Regulatory Commission
NRR	-	Office of Nuclear Reactor Regulation (NRC)
NSSS	-	Nuclear Steam Supply System

OI	-	Office of Investigations (NRC)
OJT	-	On-the-job training
OL	-	Operating License
PSAR	-	Preliminary Safety Analysis Report
QE	-	Quality Engineer
QA	-	Quality Assurance
QES	-	Quality Engineering Systems
QAI	-	Quality Assurance Investigation (TUEC)
QC	-	Quality Control
RES	-	Office of Nuclear Regulatory Research (NRC)
RFIC	-	Request for information or clarification (B&R)
RG	-	Regulatory Guide (NRC)
RIV	-	NRC Region IV Office
ROF	-	Reduction of Force
SER	-	Safety Evaluation Report (NRC)
SSER	-	Safety Evaluation Report Supplement
SWA	-	Startup Work Authorization
10 CFR 50	-	Title 10 Code of Federal Regulations Part 50
Tr	-	Transcript
TRT	-	Technical Review Team (NRC)
TUEC	-	Texas Utilities Electric Company
TUGCO	-	Texas Utilities Generating Company
TUSI	-	Texas Utilities Service, Inc.
UCLA	-	University of California at Los Angeles

1 INTRODUCTION

On July 14, 1981, the U. S. Nuclear Regulatory Commission (NRC) issued a Safety Evaluation Report (SER) (NUREG-0797) related to the application by the Texas Utilities Electric Company (TUEC) for a license to operate Comanche Peak Steam Electric Station (CPSES) Units 1 and 2. Subsequently, twelve supplemental Safety Evaluation Reports (SSERs) were issued by the staff. This report, Supplement No. 13, is an SSER dealing with various allegations of intimidation and harassment of QA/QC employees at Comanche Peak. This report addresses approximately 35 allegations of intimidation and harassment. Appendix P to this report provides details of the Comanche Peak Intimidation Panel's evaluation of these allegations and the panel's findings.

The allegations of intimidation and harassment at Comanche Peak were part of the regulatory issues that remained outstanding as construction of the Comanche Peak facility neared completion. The Atomic Safety and Licensing Board presiding over the proceedings related to the CPSES operating license application had determined in March 1984 that it must address and resolve the allegations of intimidation and harassment to resolve the only remaining contention (Contention 5) in the proceeding. The Board began its proceedings on the intimidation and harassment issues in the summer of 1984.

In July 1984, consultants were retained by the Project Manager of the Comanche Peak Technical Review Team (TRT) to assemble a study team and review the record of allegations of intimidation and the work climate at the CPSES site, and to develop an expert opinion as to the existence of a climate of intimidation amoung

QA/QC personnel at the site. Attachment 1 to Appendix P is the report, issued in September 1984, in which the study team concluded that a climate of intimidation did not exist at CPSES. Since the study team's effort did not include an independent assessment of individual incidents of alleged intimidation and did not include a review of all of the depositions, testimony and investigation reports relating to alleged intimidation incidents at CPSES, NRC management decided that the report would not constitute an overall assessment of the intimidation and harassment issue for CPSES, but that this report would be used as one input into the resolution of the intimidation and harassment issue.

The study team was subsequently directed to expand its effort to include all available information related to the intimidation issue. In a parallel effort the NRC's Executive Director for Operations (EDO) issued a directive on December 24, 1984, establishing a panel (the Comanche Peak Intimidation Panel) to provide a position on the intimidation question to NRC upper management. The study team was subsequently brought into close communication with the intimidation panel and became consultants to the panel. Attachment 2 to Appendix P is a listing of the allegations of intimidation reviewed by the panel and the study team.

Attachment 3 to Appendix P provides a supplement to the initial report of the study team and includes its evaluation of each alleged incident of intimidation. The Comanche Peak Intimidation Panel has reviewed the results of the consultant's evaluation and concurs with its findings. The recommendations of the intimidation panel are discussed in Section 5 of Appendix P.

Management and coordination of all the outstanding regulatory actions for Comanche Peak are under the overall direction of Mr. Vincent S. Noonan, the NRC Comanche Peak Project Director. Mr. Noonan may be contacted by calling 301-492-7903 or by writing to the following address:

Mr. Vincent S. Noonan
Division of Licensing
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Copies of this Supplement are available for public inspection at the NRC's Public Document Room at 1717 H Street, NW, Washington, D. C. 20555, and the Local Public Document Room, located at the Somervell County Public Library On The Square, P. O. Box 1417, Glen Rose, Texas, 76043. Availability of all material cited is described on the inside front cover of this report.

The Comanche Peak Intimidation Panel and the Advisors and Consultants to the Panel are listed below:

Panel Members

Axelrad, J.	-	Enforcement Staff, IE, NRC
Gagliardo, J.	-	Technical Training Center, IE, NRC
Hunter, D.	-	Reactor Projects Branch - 2, DRP, RIV, NRC
Lieberman, J.	-	Regional Operations Enforcement Division, ELD, NRC

Panel Advisors

Griffin, B.	-	OI Field Office, RIV, OI, NRC
Ippolito, T.	-	Office for Analysis and Evaluation of Operational Data, NRC
Kaplan, B.	-	EG&G
Noonan, V.	-	Comanche Peak Project, NRR, NRC
Scinto, J.	-	Hearing Division, ELD, NRC
Treby, S.	-	Hearing Division, ELD, NRC

The EG&G Study Team and their Consultants are listed below:

Andognini, G.	-	Independent Consultant
Bowers, D	-	Rensis Likert Associates
Kaplan, B.	-	EG&G
Margulies, N.	-	Graduate School of Management, University of California at Irvine
Rice, C.	-	LRS Consultants
Stratton, W.	-	Idaho State University

APPENDIX P

STATUS OF STAFF EVALUATION AND RESOLUTION OF ALLEGATIONS OF INTIMIDATION AND HARASSMENT OF QA/QC PERSONNEL AT COMANCHE PEAK STEAM ELECTRIC STATION UNITS 1 AND 2

1. Introduction

As construction of the Comanche Peak Steam Electric Station was nearing completion, issues that remained to be resolved prior to the consideration of issuance of an operating license were complex, resource intensive, and spanned more than one NRC office. To ensure the overall coordination and integration of these issues, and to ensure their resolution prior to licensing decisions, the NRC's Executive Director for Operations (EDO) issued a memorandum on March 12, 1984, directing the NRC's Office of Nuclear Reactor Regulation to manage all necessary NRC actions leading to prompt licensing decisions, and assigning the Director, NRC's Division of Licensing, the lead responsibility for coordinating and integrating the related efforts of various offices within the NRC.

The principal areas needing resolution before a licensing decision on Comanche Peak could be reached included: (1) the completion and documentation of the staff's review of the Final Safety Analysis Report (FSAR); (2) those issues in contention before the NRC's Atomic Safety and Licensing Board (ASLB); (3) the completion of necessary NRC regional inspection actions; and (4) the completion and documentation of the staff's review of technical concerns and allegations regarding design and construction of the plant.

Only one contention (Contention 5) remained unresolved in the CPSES operating license application proceeding. Contention 5 alleges:

> The Applicant's failure to adhere to the quality assurance/ quality control provisions required by the construction permits for Comanche Peak, Units 1 and 2, and the requirements of Appendix B of 10 CFR Part 50, and the construction practices employed, specifically in regard to concrete work; mortar blocks; steel; fracture toughness testing; expansion joints; placement of the reactor vessel for Unit 2; welding; inspection and testing; materials used; craft labor qualifications and working conditions (as they may affect QA/QC and training and organization of QA/QC personnel, have raised substantial questions as to the adequacy of the construction of the facility. As a result, the Commission cannot make the findings required by 10 CFR § 7(a) necessary for issuance of an operating license for Comanche Peak.

The ASLB decided in March 1984, that in order to resolve Contention 5, it must address the allegations of intimidation and harassment. Prehearing conferences were held in June 1984; depositions were taken in July and August 1984; prehearing testimony was filed in August 1984, and the hearings commenced on September 10, 1984. The hearings will continue after the issuance of this SSER.

In July 1984, the Director of the Comanche Peak Project, who was also the Manager of the Technical Review Team (TRT), retained the services of a group of consultants to form a study team. The study team was tasked to investigate the work climate at the CPSES and develop an expert opinion as to whether or not a climate of irtimidation was created by CPSES management among the QA/QC personnel. Attachment 1 is the study team's report (September 1984) which concluded that a climate of intimidation did not exist at CPSES.

Since the study team's effort did not include an independent assessment of individual incidents of alleged intimidation and it did not include a review of all of the depositions, testimony and investigation reports relating to

intimidation issues at CPSES, NRC management decided that the report would not constitute the agency's position on intimidation and harassment issues at CPSES. The report would, however, be used as one of the inputs into the agency's determination of the intimidation and harassment issues.

The study team was subsequently directed to expand its effort to review all of the documentation available on the known cases of alleged intimidation. The additional documentation to be reviewed included depositions taken in July and August 1984, prehearing testimony filed in August 1984, transcripts of the hearings which began on September 10, 1984, and OI investigation and inquiry reports.

Attachment 2 is a listing of the allegations of intimidation reviewed by the study team.

As the Comanche Peak TRT neared the completion of its efforts, a decision was made by NRC management to establish a panel to evaluate the TRT findings and the findings of other inspection, review, and investigation efforts at CPSES and to determine the relationship between these findings and Contention 5 issues. Management also decided to have a panel of senior managers review and evaluate all intimidation and harassment issues to establish an agency position on intimidation at the CPSES site.

On December 24, 1984, the EDO issued directives establishing a Comanche Peak Contention 5 Panel and a Comanche Peak Intimidation Panel. The intimidation panel was tasked with providing NRC upper management with a position on the

intimidation question at CPSES. The intimidation panel and the study team were subsequently brought together to discuss their respective findings. Because the efforts of the two groups were duplicative, and the findings of the two groups were identical for those cases which were reviewed by both groups, it was decided to use the study team as consultants for the intimidation panel and to use the study team's findings as the basis of this report.

Attachment 3 is the study team's supplemental report. This report supplements the original report (Attachment 1) and documents the results of the study team's review of the additional material provided to them after there initial effort.

his report is the product of the Comanche Peak Intimidation Panel's efforts to satisfy its charter (Attachment 4). The intimidation panel's charter required that the panel, (1) provide NRC upper management with a position on the intimidation question at CPSES, and (2) provide input to the Comanche Peak Contention 5 Panel. The panel's findings regarding the alleged intimidation issues are summarized in Section 3. The panel's findings regarding the climate of intimidation at CPSES and the management implications of the findings are provided in Section 4. Section 5 addresses the actions required by the applicant to improve the confidence of CPSES employees in their management and dispell the detrimental effect of past actions which were either outright intimidating or were of a management style that would provide the right chemistry for future acts of intimidation.

The incidents of intimidation may constitute potential violations of NRC rules and regulations. These potential violations have not been addressed in this SSER, but will be reviewed by the NRC staff for the appropriate followup actions.

2. Allegation Review Process

2.1 Definition

The first item in the Intimidation Panel's charter was to define the criteria for determining if an incident involved actions that constitute intimidation or harassment. The panel examined several definitions of intimidation including (1) these offered by the parties to the hearing during the prehearing conference; (2) a definition of harassment and discrimination developed by the Enforcement Staff of the Office of Inspection and Enforcement in a previous enforcement action (EA-83-132) involving Comanche Peak; (3) the study team's definition intimidation used in its September 1984 report (Attachment 1); and (4) the definition of intimidation used by the Office of Investigation in their investigations. The panel found that none of the above definitions appeared to collectively satisfy the judgment of the panel members as to what elements must exist to have an act of intimidation.

After discussing the various definitions the panel agreed to the following definitions of intimidations, harassment and discrimination:

> Intimidation or Harassment: Incidents, statements or other actions that are reasonably likely to influence employees to refrain from performing safety-related work in accordance with requirements or identifying or reporting quality discrepancies or safety problems.
>
> Discrimination: The showing of prejudice in the treatment of employees for performing safety-related work or reporting quality discrepancies or safety problems to their management or to the NRC. The showing of prejudice may include adverse actions such as discharge or other actions that relate to the terms, conditions, and privileges of employment.

These definitions were used by the panel in evaluating specific incidents of intimidation. The study team also used this definition in its supplemental review of the alleged incidents of intimidation.

The major point of departure of the above definitions from those of other sources is that under the above definition, the intimidated person need not have actually done something contrary to requirements, or have refrained from performing an action in accordance with requirements. The criteria call for a judgment of whether the action was reasonably likely to influence an employee to take an action that is contrary to a requirement. Under other definitions the "thick skinned" employee might never be influenced to violate requirements, but the same actions could cause another reasonable employee to violate requirements because of fear of reprisals.

The other definitions addressed only intimidating acts against QC inspectors. The intimidation panel's definition includes actions directed toward any individual who performs quality activities. Therefore, actions which would influence a craftsman to do quality related construction activities that are contrary to requirements (procedures or specifications) or to refrain from reporting known deficiencies may be considered intimidating.

A question has been raised and we may need to address the situation in which an action by a supervisor may not have caused a reasonable person to do something wrong (or to refrain from doing something that is required) but actually caused a "thin skinned" person to do (or not do) it.

2.2 Documentation Reviewed

The intimidation panel and the study team reviewed all of the documentation available for __ alleged incidents of intimidation. The documents that were reviewed included:

a. Transcripts of the ASLB hearings on intimidation issues,

b. Selected transcripts of ASLB hearings on technical issues related to the alleged intimidation incidents,

c. Depositions taken in July and August 1984 prior to the intimidation hearings,

d. Prefiled testimony of witnesses called into the intimidation hearings,

e. Selected transcripts of followup interviews conducted by the TRT staff,

f. OI investigation and inquiry reports related to the alleged intimidation incidents,

g. Department of Labor Transcripts related to the alleged discrimination against a CPSES QC inspector.

2.3 Review Format

In performing the review of the alleged intimidation events the intimidation panel considered a number of factors related to the event. These factors included:

a. The position/s and duties of the person or persons subject to the alleged intimidation event;

b. The position/s and duties of other persons involved in the alleged intimidation event such as fellow workers or observers;

c. The position and duties of the person or persons alleged to have intimidated the subjects and the relationship (supervisor - employee, etc.) between the alleged intimidator/s and the recipient/s of the intimidating action;

d. The date and place of the alleged intimidating event and the area of work involved (welding, coatings, etc.);

e. The perceived or implied intent of the person or persons taking the alleged intimidating action; and

f. The perceptions of the recipient (person/s being intimidated) of the alleged intimidating action.

2.4 Panel Review and Discussion

After the intimidation panel had been formed and the definitions and review format had been established, the panel began its efforts to determine the scope of the overall task. In the Section of the Charter (Attachment 4) entitled, "Action Items", the appropriate data base for the review was listed and included:

a. The study team report (Attachment 1);

b. Enforcement packages issued by IE that related to the alleged intimidation events;

c. Depositions taken by the parties to the hearings;

d. The proposed finding on the Comanche Peak intimidation issues that were filed by the parties to the hearings;

e. Transcripts of the ASLB hearings related to the intimidation issues;

f. OI reports of investigations and inquiries into alleged intimidation events; and

g. Transcripts of the Department of Labor hearings into issues of intimidation, harassment and discrimination.

To assist in this effort the staff counsel in these proceedings provided the panel with copies of the proposed findings of fact that had been filed by each party to the proceedings and with a listing of the deposition, transcript and other references related to each of the intimidation issues before the ASLB (this was not a complete listing of the issues).

The panel was also briefed by the OI investigator involved in the investigation of CPSES intimidation issues. He also provided each of the panel members with a copy of the investigation and inquiry reports that had been issued on the alleged intimidation events that were investigated by OI.

Since the volume of the data base was much too large to be reviewed by all of the panel members in its entirety within a reasonable time, the panel decided to divide the review responsibility between the panel members. Each member was assigned a number of alleged intimidation events and was given the responsibility to review all of the available material applicable to their assigned events using the format in Section 2.3 as guidance. Upon completion of the reviews, each panel member was to discuss with the panel during a scheduled panel meeting, the details

of each assigned event, the result of his/her review, and any issues associated with the events. The panel was then to make a collegial decision as to whether or not the event constituted an act of intimidation as defined in Section 2.1.

The panel began its review of the provided data in late December 1984 and began the collegial review of the findings in February 1985.

2.5 Interaction With Study Team

As the review and evaluation of the data proceeded, the panel became aware of the parallel efforts of the study team which was now operating under its expanded charter. A decision was made to have a combined meeting of the intimidation panel and the study team to compare preliminary findings.

The intimidation panel and the study team met on February 15, 1985. At that time, the intimidation panel had completed about one-third of its reviews and the study team had essentially completed its review of the material assigned to them. During the discussions between the two groups, it was found that for those events which had been reviewed by both groups, similar conclusions were drawn.

When this fact was communicated to the NRC management having responsibility for the efforts of the intimidation panel and the study team, it was decided to adopt the panel's recommendations and discontinue the duplication of effort and to have the study team function as consultants to the intimidation panel. The

study team's effort was to be further expanded to include a review of additional intimidation data (they had not reviewed all of the OI reports) and their supplemental and initial reports would be used as the basis for this SSER.

The study team was provided with the additional OI reports on intimidation that had not been reviewed by them. This material was reviewed and the results of the review were included in their supplemental report.

The study team and intimidation panel met on several occasions (in person or by conference call) to discuss the findings and review the study team's reports. The product of these efforts is Attachment 4 and represents the collective position of the study team.

3. Conclusions

3.1 Study Team Conclusions

The study team performed a detailed review of all of the data available for each of the alleged intimidation events listed in Attachment 2. The conclusions of the study team for each of these events is documented in Appendix B of the Study Team's Supplemental Report (Attachment 3). As noted in Section 2.5 above, the intimidation panel had several discussions with the study team regarding their findings. For those events which had also been reviewed in detail by the panel, the panel's conclusions were similar to those of the study team.

The discussions enabled the intimidation panel to have an understanding of the other events and the basis for the study team's conclusion. It is noted that although the intimidiation panel did not review the "other events" in detail, the panel members had reviewed enough of the material related to these events to have a working knowledge of the events. The intimidation panel fully endorses the findings of the study team.

3.2 Events/Documents Not Reviewed by the Study Team

3.2.1 Discussion

There were five alleged or suspected incidents of intimidation that were reviewed by the intimidation panel and not by the study team. Three of these events were reviewed by only the intimidation panel because they were forwarded to the panel late in the review process, and the preliminary review by the panel chairman resulted in his determination that the alleged or suspected events were not significant enough to require a review by the study team. These events were subsequently reviewed and discussed by the panel which concurred in this decision.

The other two events were documented in OI investigation reports. Because of the sensitive nature of the material in the OI reports, it was decided that copies of these documents would not be provided to non-NRC employees, but could be reviewed in the OI offices in Bethesda, MD. Since the study team was composed of consultants, they were not provided with copies of these documents, and since the study team members lived and worked in the western half of the country, it was not practical to bring them in to Bethesda for the review.

The intimidation panel reviewed the investigation reports. The results of that review are discussed below. The panel also reviewed an investigation report that had not been provided to the study team, but involved an intimidating event which had been reviewed by the study team using the other available data. The results of the panel's review of this report is also discussed below.

3.2.2 Intimidation Panel Conclusions

A description of each event and the findings of the intimidation panel are discussed below.

a. On January 15, 1985 the Comanche Peak Project Director forwarded to the intimidation panel a portion of the transcript of the deposition of a former CPSES QC inspector (Mr. Mouser). The material was forwarded to the panel at the suggestion of the Chairman of the ASLB. During the deposition Mr. Mouser stated that he had informed Mr. Tolson (TUEC QA Manager) as to how he and his fellow workers were going to review and verify individual DCAs (Design Change Authorizations) and CMCs (Component Modification Cards). Mr. Tolson became upset and told them, "No. That's not the way I want it done." Mr. Mouser and his supervisor went back to Tolson, and Tolson agreed to allow them to do the review as they had originally proposed.

   This incident does not constitute an act of intimidation, because Mr. Tolson's action was not likely to have caused a reasonable individual to do something that was contrary to existing requirements, and he changed his position at the urging of his employees.

b. On January 28, 1985 the Comanche Peak Project Director forwarded to the intimidation panel a portion of the transcript of Mr. Mouser's deposition in which he alleged that an OI investigator had apparently disclosed confidential information to the applicants. There was nothing in this material that could be linked to an event of intimidation by CPSES individuals.

c. Darwin's input goes in here.

d. OI Investigation Report 4-83-013 was the report of an investigation to determine if QC inspectors were intimidated by the termination, by Brown & Root, of a former QC inspector (Charles Atchison). The investigator interviewed 76 past and current QC inspectors at CPSES. Only one of the inspectors said that he had been intimidated at CPSES, but none of them indicated having failed to report a deficiency or document a nonconforming condition. Three of them did indicate that they were more careful in their inspection and NCR writing after Atchison's termination. The QC inspector who indicated that he had been intimidated said there had also been attempts to intimidate him directly, and he named other QC inspectors who had been intimidated. The QC inspectors he named were interviewed and denied that they had been intimidated. The results of the other interviews tended to refute the statement of the QA inspector who said he had been intimidated.

Paragraphs d. e. and f. may no longer be needed based on the latest draft of Stiner testimony.

JUNE 3, 1995

TRT GROUP LEADERS

Section 3.3 of the Intimidation Panel's SSEA (attached) gives the TAT Findings in the areas where we found that intimidation had occurred. This is based on our discussions on March 21. Please review this and give me your input. Thanks

Jim

The intimidation panel concludes that the facts presented in this investigation report do not support a finding that other workers were intimidated by the firing of Mr. Atchison.

e. OI Investigation Report 4-84-006

Darwin
Ingal

f. OI Investigation Report 4-83-001 documented the OI investigation of the alleged intimidation of Mr. William Dunham's supervisor (Harry Williams) who had threatened to pull the certification and in effect terminate QC painting inspectors who continued to "nit pick." The investigation report added nothing to the other information that was made available to the study team regarding this event. The study team and the intimidation panel have concluded that this event did constitute an act of intimidation and the above investigation report supports that conclusion.

3.3 TRT Findings In Those Areas Where Intimidation Occurred

On March 21, 1985 the intimidation panel met with the team leaders and other selected members of the TRT to determine if technical concerns had been found in those areas in which the panel had found intimidation events to have occurred. The following is the list of identified events of intimidation as reported in Attachment 3 followed by the TRT findings for each of the areas in which the intimidation occurred:

(1) D. Stiner - Weave Welding on Pipe Supports.

This area was examined by both Region IV and the TRT. Neither group could substantiate the technical allegations made by Ms. Stiner.

(2) D. Stiner - Circuit Breaker Article

There is no technical area associated with this intimidating event.

(3) W. Dunham - Intimidation of Coatings Inspectors

The TRT Coatings Group found that the inspection procedures in this area were inadequate and that the QC inspectors had missed the big picture and were not finding the pinholes in the coatings. They did find a higher than normal percentage of faulty coatings, but could not conclude that it could be attributed to the inspectors having been intimidated.

(4) W. Dunham - Termination

The higher than normal percentage of faulty coatings at CPSES may be linked to this intimidating event, but there is insufficient information to indicate that this was a major or contributing cause.

(5) S. Neumeyer - Liner Plate Traveller Incident

The QA/QC Team of the TRT did find a concern in the documentation of this area (see writeup on AQ-55 and AQ-78 in SSER-11), but the Civil/ Structural Group found no significant problem in liner plate welds (see AC ___ in SSER-8).

(6) C. Allen - ALARA and DCA Reviews

This issue was addressed in AQO-36 of SSER-9. The Coatings Team of the TRT found approximately eight discrepancies were significant. The generic implications of the allegation are being reviewed as part of the applicant's corrective action plan for TRT findings.

(7) C. Allen - Detergent on Coated Surface

The TRT Coatings Team reviewed this issue and determined that the detergent on the coatings was not a detriment to the coatings.

(8) C. Allen - Cigarette Filter Incident

This issue was reviewed by the TRT Coatings Team (see AQO-17 in SSER-9) and they concluded that small amounts of water and oil in the paint would have had no impact on its adherence properties. Large quantities of water and oil would have been obvious to a trained QC inspector.

(9) T-Shirt Incident

The T-Shirt incident was addressed by the QA/QC Team (see AQ-46 in SSER-11) and the Electrical Team (see Electrical Category No. 5 in SSER-7). Neither team could find any indication that the incident had a negative impact on their areas.

(10) S. Neumeyer - Stanford Incident

The TRT found no problem with the documentation of the welds in question in this allegation, but there was a question as to whether or not the non-destructive testing of the welds had been performed.

4. Management Implications

4.1 Climate of Intimidation

In Attachments 1 and 3, the study team concluded that there was no climate of intimidation at CPSES. Based on the definition of "Climate of Intimidation" used by the study team, the intimidation panel agrees with that conclusion.

The panel agrees that the small number of intimidation events at a large site like CPSES suggests that intimidation was not pervasive. The intimidation panel is concerned, however, that the management style at CPSES (to be addressed in Section 4.2) establishes a work environment in which the right chemistry exists for intimidation (actual or perceived) to occur given the right set of circumstances. This is an area that needs immediate attention and is addressed in Section 5.

4.2 Management Style

In Attachments 1 and 3, the study team addressed the management style and interface problems (See Sections 3.3 and 3.4 respectively) as indicated by the depositional data and the survey data. The intimidation panel is also concerned about the apparent autocratic/bureaucratic style in the behavior of CPSES management.

During the interchanges with TRT personnel (Section 3.3) the panel was informed that the TRT personnel observed an atmosphere characterized by the employees' fear of management at CPSES. Since CPSES is a non-union project there is apparently no internal grievance system, so that each employee holds his or her position at the whim of management. If there is such a system, there is no indication from the record that it was effectively used.

In sum, it is the panel's view that the atmosphere created by the management style at the CPSES facility does not necessarily lead to improper construction or quality control. We assume that many projects have been built with an unquestioning autocratic management style. However, it is the view of the panel that an important ingredient for an effective QA program to monitor the quality of construction is an atmosphere where employees may freely raise safety related concerns to an interested management. While it is clear that employees did raise concerns, even those making allegations of intimiation, there was a perception, whether valid or not, that some management individuals did not truly want to hear concerns nor did they always provide adequate explanations to questioning employees. This is not to say that every employee has valid concerns. The utility hires, trains, and directs the activities of the employee, but if it is going to keep the employee in a responsible position, it must be satisfied that the employee understands his or her job. It cannot keep the employee in a responsible position and not provide adequate explanations regarding his/her concerns. Failure to do so invites an employee attitude of not caring which will result in the employee not carrying out the expected job. The panel cannot conclude, however, that the company's management style contributed in any way to the quality assurance issues at Comanche Peak. Poor procedures, training, management direction could also have caused or contributed to the quality assurance issues.

5. Action Recommended

The concerns expressed by some TRT participants and the collective findings of the study team and the intimidation panel suggest a need for action by TUEC management. The panel recommends that action should be taken to assure that the management style of the TUEC organization is conducive to assuring a quality project. There is no one course of action such as the replacement of one or more managers, or a reorganization, or changing procedures to develop an internal grievance procedure that is recommended for changing the attitudes and perceptions of the past. Licensee's management should take an objective look at the past incidents described in this SSER as well as the current situation at the site and take steps as necessary to assure a quality first attitude by its management and employees. The use of outside independent consultants may be appropriate and should be considered. The overall efforts should be directed at establishing trust between the employees and management to eliminate any fear of reprisals for anyone who identifies safety concerns or questions safety procedures.

In making these recommendations it is important to reiterate that the panel is not saying there is a pervasive climate of fear or that the licensee's management style in fact contributed to quality issues. But given the examples described in the record and perceptions of some TRT members the panel believes that a concerned management would take aggressive and dynamic action to avoid and erase any question of a potential problem of intimidation or harassment.

+ 93-013

ANALYSIS OF INTIMIDATION AND DISCRIMINATION AT COMANCHE PEAK

1. INTIMIDATION INCIDENT INTIMIDATION OF QC INSPECTORS BY THE TERMINATION OF CHARLES ATCHISON

a) Name, position and duties of person subject to intimidation; Ron Jones (QC Insp)

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b) Name, position and duties of person alleged to have intimidated; Mgmt's firing of Charles Atchison. Bill Ford intimidated Stines

c) Names and positions of other persons either subject to or involved in the incident; J. Ann Amundson (Former QC Insp), Ron Stines, Arnold Smart (Former ASME QC Insp for SV Engr)

d) Area of work involved - welding, coatings, etc.;

e) Date and place of incident; July 1983 CPSES Site

f) the nature of the statement or action; Amundson said that Phyllis May had possibly been intimidated by Nanny Williams. Jones said Atchison's firing had discouraged him but he did report defi
4-93-013 Jones said Stines (QC Insp-Elect) believed he was being intimidated by Bill Ford. Stines said to Jones that his identified deficiencies were not being properly cor
Jones said that Arnold Smart felt that he had been intimidated by his lead hand, McCarthy. Jones said that Smart was receiving pressure from Danzler (Former QC Insp) and Danzler's boss Tolson. Smart said his deficiencies were not being corrected.
Jones has participated on several occasions to not write NCR's. Jones learned of a problem in the CA where elect cable was being removed without doc. He wanted to write an NCR, but was told not to by J. of Lentwyler (QC Engr). NCR was rejected twice by Lentwyler. Third time it was accepted but no action was taken (over)

g) the intent of the person making the statement of taking the action;

5 QC Inspectors under King and four under Hartwyler were interviewed and said they were not themselves intimidated although several thought another of the group had been.

5 (cont)
Jones said more recently wheat flex conduit in Fuel Bldg was replaced and not reported as per the NCR
Jones said Ford also directed him to close out another NCR that he was not certified to close. He told Ford but Ford said do it anyway. He did and it was later rejected
Jones said that in April 1983 he had failed to close an NCR because of trash in a cable tray and cuts on the cable. Ford told Jones that they (someone in craft) wanted it closed. He refused and was directed by Jones to reinspect. He did and again refused to close it. Ford then got another inspector to close it out.
Jones said he was given the name "Shut-em down Jones" to belittle him
Jones said he did not know NCR numbers but would get them. He was contacted four times and was unable to identify the NCRs

Stines said that he was not intimidated by Atchison firing
He denied the incident that Jones said had occurred between Stines and Ford
Stines said he had never been intimidated into not reporting deficiencies
Smith said he was not intimidated by firing of Atchison and most people on site thought Atchison was a troublemaker
Smith said he had not been intimidated or pressured by McGaughy or Daigle. He said QC inspectors have freedom to

x

h) the perception of the recipient of the statement or action; and Jones said he felt that he had been harassed and intimidated to not perform his duties

i) the positions of and relationship between the person making the statement or taking the action and the recipient.

2. The effect of the statement on the recipient including any specific failures to report safety problems and the basis for the conclusion that the effect occurred.

3. Analysis of the incident using Panel's Definition of intimidation/harassment.

4. Reference to documents where incident is described such as Investigation Reports, deposition, hearing transcripts, etc. (title, dated, pages).

(10)

ABSTRACT

Supplement 13 to the Safety Evaluation Report for the Texas Utilities Electric Company application for a license to operate Comanche Peak Steam Electric Station, Units 1 and 2 (Docket Nos. 50-445, 50-446), located in Somervell County, Texas, has been prepared by the Comanche Peak Intimidation Panel of the U. S. Nuclear Regulatory Commission. This Supplement provides the panel's evaluations of approximately 33 cases of allegated intimidation and harassment of quality assurnce/quality control (QA/QC) employees at the Comanche Peak facility. Many of these cases have been addressed at recent Atomic Safety and Licensing Board hearings. The Comanche Peak Intimidation Panel and a study team which served as consultants to the panel concluded that ten of the alleged incidents did met the criteria for intimidation, but the panel and study team did not find pervasive incidents of intimidation. The panel did find that the mangement style at CPSES creates a work environment which could lead to intimidation.

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B/10

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ACRONYMS AND ABBREVIATIONS

AEC	-	U. S. Atomic Energy Commission
ALARA	-	As Low As Reasonably Achievable
ANI	-	Authorized Nuclear Inspector
ASLB	-	Atomic Safety and Licensing Board
ASME	-	American Society of Mechanical Engineers
B&R	-	Brown & Root, Inc.
CAR	-	Corrective Action Request
CASE	-	Citizens Association for Sound Energy
CAT	-	Construction Appraisal Team (NRC)
CFR	-	Code of Federal Regulations
CMC	-	Component Modification Cards
CP	-	Comanche Peak
CP	-	Construction Permit
CPSES	-	Comanche Peak Steam Electric Station
DCA	-	Design Change Authorization
DCC	-	Document Control Center (TUEC)
DL	-	Division of Licensing (NRC)
DRP	-	Division of Reactor Projects (RIV/NRC)
EA	-	Enforcement Action
EDO	-	Executive Director for Operations (NRC)
ELD	-	Office of Executive Legal Director (NRC)
ES	-	Extraction Steam
FSAR	-	Final Safety Analysis Report
GAP	-	Government Accountability Project
GED	-	General Equivalency Diploma
G&H	-	Gibbs & Hill
IE	-	Office of Inspection and Enforcement (NRC)
INPO	-	Institute for Nuclear Power Operations
IR	-	Inspection Report (NRC)
JTG	-	Joint Test Group (TUEC)
MCC	-	Motor Control Center (GE)
MD	-	Maryland State
N/A	-	Not Applicable
NASA	-	National Aeronautics and Space Administration
NCR	-	Nonconformance Report (TUEC)
NDE	-	Nondestructive Examination
NDT	-	Nondestructive Testing
NERVA	-	Nuclear engine for rocket vehicle application
NOV	-	Notice of Violation (NRC)
NRC	-	U. S. Nuclear Regulatory Commission
NRR	-	Office of Nuclear Reactor Regulation (NRC)
NSSS	-	Nuclear Steam Supply System

OI	-	Office of Investigations (NRC)
OJT	-	On-the-job training
OL	-	Operating License
PSAR	-	Preliminary Safety Analysis Report
QE	-	Quality Engineer
QA	-	Quality Assurance
QES	-	Quality Engineering Systems
QAI	-	Quality Assurance Investigation (TUEC)
QC	-	Quality Control
RES	-	Office of Nuclear Regulatory Research (NRC)
RFIC	-	Request for information or clarification (B&R)
RG	-	Regulatory Guide (NRC)
RIV	-	NRC Region IV Office
ROF	-	Reduction of Force
SER	-	Safety Evaluation Report (NRC)
SSER	-	Safety Evaluation Report Supplement
SWA	-	Startup Work Authorization
10 CFR 50	-	Title 10 Code of Federal Regulations Part 50
Tr	-	Transcript
TRT	-	Technical Review Team (NRC)
TUEC	-	Texas Utilities Electric Company
TUGCO	-	Texas Utilities Generating Company
TUSI	-	Texas Utilities Service, Inc.
UCLA	-	University of California at Los Angeles

1 INTRODUCTION

On July 14, 1981, the U. S. Nuclear Regulatory Commission (NRC) issued a Safety Evaluation Report (SER) (NUREG-0797) related to the application by the Texas Utilities Electric Company (TUEC) for a license to operate Comanche Peak Steam Electric Station (CPSES) Units 1 and 2. Subsequently, twelve supplemental Safety Evaluation Reports (SSERs) were issued by the staff. This report, Supplement No. 13, addresses approximately 33 allegations of intimidation and harassment of QA/QC employees at Comanche Peak. Appendix Q to this report provides details of the Comanche Peak Intimidation Panel's evaluation of each allegation and the panel's findings.

The allegations of intimidation and harassment at Comanche Peak were part of the regulatory issues that remained outstanding as construction of the Comanche Peak facility neared completion. The Atomic Safety and Licensing Board presiding over the proceedings related to the CPSES operating license application ~~had~~ determined in March 1984 that it must address and resolve the allegations of intimidation and harassment to resolve the only remaining contention (Contention 5) in the proceeding. The Board began its proceedings on the intimidation and harassment issues in the summer of 1984.

In July 1984, the Project Manager of the Comanche Peak Technical Review Team (TRT) directed a team of consultants to review the record of allegations of intimidation and the work climate at the CPSES site to determine whether ~~of~~ a climate of intimidation existed among QA/QC personnel at the site. Their report,

issued in September 1984, concluded that a climate of intimidation did not exist at CPSES (See Attachment 1 to this Appendix). Since the study team did not independently assess ~~of~~ individual incidents of alleged intimidation and did not a review all ~~depositions, testimony and~~ investigation reports relating to alleged intimidation incidents at CPSES, the NRC TRT recognized that the report did not constitute an overall assessment of the intimidation and harassment issue, but that would contribute to resolution of the intimidation and harassment issue.

The study team ~~was subsequently directed to expand~~ its review ~~to include~~ all available information related to the intimidation issue. In a parallel effort, NRC's Executive Director for Operations (EDO) issued a directive on December 24, 1984, establishing the Comanche Peak Intimidation Panel to provide its findings on intimidation to NRC management. The study team subsequently became consultants to the Intimidation Panel. Attachment 2 to this Appendix is a listing of intimidation allegations reviewed by the panel and the study team.

Attachment 3 to this Appendix is a supplement the study team's initial report and includes its evaluation of each alleged incident of intimidation. The Comanche Peak Intimidation Panel has reviewed the results of this evaluation and concurs with its findings. The recommendations of the Intimidation Panel are discussed in Section 5 of this Appendix.

Management and coordination of all the outstanding regulatory actions for Comanche Peak are under the overall direction of Mr. Vincent S. Noonan, the NRC Comanche Peak Project Director. Mr. Noonan may be contacted by calling 301-492-7903 or by writing to the following address:

Mr. Vincent S. Noonan
Division of Licensing
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Copies of this Supplement are available for public inspection at the NRC's Public Document Room at 1717 H Street, NW, Washington, D. C. 20555, and the Local Public Document Room, located at the Somervell County Public Library On The Square, P. O. Box 1417, Glen Rose, Texas, 76043. Availability of all material cited is described on the inside front cover of this report.

2. THE COMANCHE PEAK INTIMIDATION PANEL AND ITS ADVISORS AND CONSULTANTS

Panel Members

Axelrad, J.	-	Enforcement Staff, IE, NRC
Gagliardo, J.	-	Technical Training Center, IE, NRC
Hunter, D.	-	Reactor Projects Branch - RIV, NRC
Lieberman, J.	-	Regional Operations Enforcement Division, ELD, NRC

Panel Advisors

Griffin, B.	-	OI Field Office, RIV, OI, NRC
Ippolito, T.	-	Office for Analysis and Evaluation of Operational Data, NRC
Kaplan, B.	-	EG&G
Noonan, V.	-	Comanche Peak Project, NRR, NRC
Scinto, J.	-	Hearing Division, ELD, NRC
Treby, S.	-	Hearing Division, ELD, NRC

The EG&G Study Team and Its Consultants:

Andognini, G.	-	LRS Consultants
Bowers, D	-	Rensis Likert Associates
Kaplan, B.	-	EG&G
Margulies, N.	-	Graduate School of Management, University of California at Irvine
Rice, C.	-	LRS Consultants
Stratton, W.	-	Idaho State University

APPENDIX Q

STATUS OF STAFF EVALUATION AND RESOLUTION OF ALLEGATIONS OF INTIMIDATION AND HARASSMENT OF QA/QC PERSONNEL AT COMANCHE PEAK STEAM ELECTRIC STATION UNITS 1 AND 2

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1. INTRODUCTION

As construction of the Comanche Peak Steam Electric Station was nearing completion, issues that remained to be resolved prior to the consideration of issuance of an operating license were complex, resource intensive, and spanned more than one NRC office. To ensure the overall coordination and integration of these issues, and to ensure their resolution prior to licensing decisions, the NRC's Executive Director for Operations (EDO) issued a memorandum on March 12, 1984, directing the NRC's Office of Nuclear Reactor Regulation to manage all necessary NRC actions leading to prompt licensing decisions, and assigning the Director, NRC's Division of Licensing, the lead responsibility for coordinating and integrating the related efforts of various offices within the NRC.

The principal areas needing resolution before a licensing decision on Comanche Peak could be reached included: (1) the completion and documentation of the staff's review of the Final Safety Analysis Report (FSAR); (2) those issues in contention before the NRC's Atomic Safety and Licensing Board (ASLB); (3) the completion of necessary NRC regional inspection actions; and (4) the completion and documentation of the staff's review of technical concerns and allegations regarding design and construction of the plant.

To evaluate and resolve the technical concerns and allegations regarding design and construction of the plant, a Technical Review Team was formed. On July 9, 1984, the TRT began its 10-week (five 2-week sessions) onsite effort, including interviews of allegers and TUEC personnel, to determine the validity of the technical concerns and allegations, to evaluate their safety significance, and

to assess their generic implications. The TRT consisted of about 50 technical specialists from NRC Headquarters and NRC Regional Offices, and NRC consultants, who were divided into groups according to technical disciplines. Each group was also assigned a group leader.

Of the contentions before the ASLB, only one (Contention 5) remained unresolved in the CPSES operating license application proceeding. Contention 5 alleges that:

> The Applicant's failure to adhere to the quality assurance/ quality control provisions required by the construction permits for Comanche Peak, Units 1 and 2, and the requirements of Appendix B of 10 CFR Part 50, and the construction practices employed, specifically in regard to concrete work; mortar blocks; steel; fracture toughness testing; expansion joints; placement of the reactor vessel for Unit 2; welding; inspection and testing; materials used; craft labor qualifications and working conditions (as they may affect QA/QC and training and organization of QA/QC personnel, have raised substantial questions as to the adequacy of the construction of the facility. As a result, the Commission cannot make the findings required by 10 CFR § 50.47(a) necessary for issuance of an operating license for Comanche Peak.

The ASLB decided in March 1984, that in order to resolve Contention 5, it must consider the allegations of intimidation and harassment. Prehearing conferences were held in June 1984; depositions were taken in July and August 1984; prehearing testimony was filed in August 1984, and the hearings commenced on September 10, 1984. The hearings will continue after the issuance of this SSER.

In July 1984, the Manager of the Technical Review Team (TRT), retained the services of a group of consultants to determine whether or not a climate of intimidation was created by CPSES management among QA/QC personnel. The study team's report, issued in September 1984, concluded that a climate of intimidation did not exist at CPSES (See Attachment 1).

Since the study team did not independently assess individual incidents of alleged intimidations and did not review all ~~depositions, testimony and~~ OI investigation reports relating to intimidation issues at CPSES, NRC management decided that the report would not constitute the sole basis for the agency's final position on intimidation and harassment issues at CPSES. The report would, however, contribute to the agency's final determination of intimidation and harassment issues.

The study team ~~was subsequently directed to expand its effort to~~ continued its review of all documentation available on ~~the known~~ cases ~~of~~ alleged intimidation. The additional documentation included depositions taken in July and August 1984, prehearing testimony filed in August 1984, transcripts of the hearings which began on September 10, 1984, and NRC Office of Investigations (OI) investigation and inquiry reports. (Attachment 2 lists the allegations reviewed by the panel and the study team.)

and expanded its effort to include an assessment of individual cases of alleged intimidation.

As the Comanche Peak TRT neared completion of its efforts, NRC management established a panel to evaluate findings by TRT and other inspection, review, and investigation efforts at CPSES to determine the relationship between these findings and the issues raised in Contention 5. Management also organized a panel of senior managers to review, evaluate, and establish an agency position on all intimidation and harassment issues at CPSES. Accordingly, on December 24, 1984, the EDO issued directives establishing a Comanche Peak Contention 5 Panel and a Comanche Peak Intimidation Panel. The Intimidation Panel was tasked with providing NRC management with a position on the intimidation question at CPSES. The Intimidation Panel and the study team subsequently discussed their respective findings, found that their efforts were duplicative, and that the findings of the two groups were similar for those cases reviewed by both groups. The Intimidation Panel decided to retain study team members as consultants and to use the study team's findings as the basis of this SSER.

Attachment 3 is the study team's supplemental report of the original report (Attachment 1) and documents the team's review of the additional material provided to it after its initial effort.

This SSER documents the Comanche Peak Intimidation Panel's efforts to comply with its charter (Attachment 4) to provide (1) NRC management with a position on the intimidation question at CPSES, and (2) information to the Comanche Peak Contention 5 Panel. Findings regarding alleged intimidation issues are summarized in Section 3. The panel's findings regarding the climate of intimidation

at CPSES and the management implications of the findings are provided in Section 4. Section 5 addresses the actions required by TUEC to improve the confidence of CPSES employees in their management and to dispel the detrimental effects of both past acts of outright intimidation and a management style that left the clear impressive that acts of intimidation would occur in the future.

The confirmed incidents of intimidation may constitute potential violations of NRC rules and regulations. These potential violations have not been addressed in this SSER, but will be reviewed by the NRC staff for the appropriate followup actions.

2. ALLEGATION REVIEW PROCESS

2.1 Definition

To define the criteria for determining if an incident involved actions that constituted intimidation or harassment, the Intimidation Panel examined the following definitions: (1) those offered by the parties to the hearing during the prehearing conference, (2) the definition of harassment and discrimination developed by the Enforcement Staff of the Office of Inspection and Enforcement in a previous enforcement action (EA-83-132) involving Comanche Peak; (3) the study team's definition of intimidation used in its September 1984 report (Attachment 1); and (4) the definition of intimidation used by the NRC Office of Investigations.

After considering the various definitions, the panel took elements from these definitions to arrive at the following definitions of intimidation, harassment and discrimination:

Intimidation or Harassment: Incidents, statements or other actions that are reasonably likely to influence employees to refrain from performing safety-related work in accordance with requirements or identifying or reporting quality discrepancies or safety problems.

Discrimination: The showing of prejudice in the treatment of employees for performing safety-related work or reporting quality discrepancies or safety problems to their management or to the NRC. The showing of prejudice may include adverse actions such as discharge or other actions that relate to the terms, conditions, and privileges of employment.

The panel used these definitions in evaluating specific incidents of intimidation. The study team also used the above definition of intimidation in its supplemental review of the alleged incidents of intimidation.

The major point of departure of these definitions from others is that the intimidated person need not have actually done something contrary to requirements, or have refrained from doing something in accordance with requirements. The criteria call for a judgment of whether an action was reasonably likely to influence an employee to act contrary to a requirement. According to other definitions, under some circumstances a "thick skinned" employee might never be influenced to violate requirements, while the same circumstances could cause another employee to violate requirements because of fear of reprisals.

~~The other definitions addressed only acts of intimidation against QC inspectors.~~ The intimidation panel's definition includes actions directed against any individual who performs quality related activities. Therefore, actions which would influence a craftsman to perform quality-related construction activities that are contrary to required procedures or specifications, or to refrain from reporting known deficiencies, may be considered intimidating.

2.2 Documentation Reviewed

The Intimidation Panel and the study team reviewed all documentation available for the 33 alleged incidents of intimidation. The documents that were reviewed included:

a. Transcripts of the ASLB hearings on intimidation issues,

b. Selected transcripts of ASLB hearings on technical issues related to the alleged intimidation incidents,

c. Depositions taken in July and August 1984 prior to the intimidation hearings,

d. Prefiled testimony of witnesses called into the intimidation hearings,

e. Selected transcripts of followup interviews conducted by the TRT staff,

f. OI investigation and inquiry reports related to the alleged intimidation incidents,

g. Department of Labor Transcripts related to the alleged discrimination against a CPSES QC inspector.

2.3 Review Format

In performing the review of the alleged acts of intimidation, the Intimidation Panel considered a number of factors related to the reported incident. These factors included:

a. The positions and duties of the person or persons subject to the alleged intimidation event;

b. The positions and duties of other persons involved in the alleged intimidation event, such as fellow workers or observers;

c. The position and duties of the person or persons alleged to have intimidated the subjects and the relationship (supervisor - employee, etc.) between the alleged intimidators and the recipients of the intimidating action;

d. The date and place of the alleged intimidating event and the area of work involved (e.g. welding, coatings);

e. The perceived or inferred intent of the person or persons taking the alleged intimidating action; and

f. The perceptions of the recipient (persons being intimidated) of the alleged intimidating action.

2.4 Panel Review and Discussion

After the Intimidation Panel had been formed and the definitions and review format had been established, the panel determined the scope of the overall task. In the Section of the Charter (Attachment 4) entitled, "Action Items," the appropriate data base for the review included:

a. The study team report (Attachment 1);

b. Enforcement packages issued by IE that related to the alleged intimidation events;

c. Depositions taken by the parties to the hearings;

d. The proposed findings on the Comanche Peak intimidation issues that were filed by the parties to the hearings;

e. Transcripts of the ASLB hearings related to the intimidation issues;

f. OI reports of investigations and inquiries into alleged intimidation events; and

g. Transcripts of the Department of Labor hearings into issues of intimidation, harassment and discrimination.

To assist in this effort the staff counsel in these proceedings provided the panel with the proposed findings of fact that had been filed by each party to the proceedings and with a listing of the deposition, transcript and other references related to each of the intimidation issues before the ASLB (although these did not comprise a complete listing of the issues).

The panel was also briefed by the OI investigator involved in the investigation of CPSES intimidation issues. He also provided each of the panel members with a copy of the investigation and inquiry reports that had been issued on the alleged intimidation events that were investigated by OI.

Since the ~~the~~ data base was much too large to be reviewed by all the panel members in its entirety within a reasonable time, the panel divided the review responsibility among the panel members. Each member was assigned a number of alleged intimidation events and was responsible for reviewing all available

material applicable to their assigned events using review the format listed in Section 2.3 above as guidance. Upon completion of the reviews each panel member was to discuss with the panel during a scheduled panel meeting the details of each assigned event, the result of his/her review, and any issues associated with the events. The panel was then to make a collegial decision as to whether or not the event constituted an act of intimidation as defined in Section 2.1, above.

The panel began its review of the data provided in late December 1934 and began the collegial review of the findings in February 1985.

2.5 Interaction With Study Team

As the review and evaluation of the data proceeded, the panel became aware of the parallel efforts of the study team, which was now operating under its expanded charter and decided to meet with the study team to compare preliminary findings. When they met on February 15, 1985, the Intimidation Panel had completed about one-third of its reviews and the study team had essentially completed its review. The two groups found that for those events which had been reviewed by both groups, they had reached similar conclusions.

When this finding was communicated to the NRC management responsible for the Intimidation Panel and the study team, they decided to adopt the panel's recommendations to discontinue the duplication of effort, and to assigned the study team to act as consultants to the Intimidation Panel. The study team's effort was

expanded to include a review of additional intimidation data (since they had not reviewed all OI reports) and the results of the review were included in their supplemental report. Their supplemental and initial reports would be used as the basis for this report.

The study team and Intimidation Panel met on several occasions (in person and by conference call) to discuss their respective findings and to review the study team's reports. The results of their joint effort appears in Attachment 4 and represents the collective position of the study team.

All Caps

3. Conclusions

3.1 Study Team Conclusions

The study team performed a detailed review of all data available for each of the alleged intimidation events listed in Attachment 2. Their conclusions appear in Appendix B of the Study Team's Supplemental Report (Attachment 3). On the basis of several discussions with the study team regarding their findings, the Intimidation Panel came to an understanding of the other events and of the basis for the study team's conclusion. Although the Intimidiation Panel did not review the "other events" in detail, the panel members reviewed enough of the material related to these events to have a working knowledge of them. The Intimidation Panel fully endorses the findings of the study team.

3.2 Events/Documents Not Reviewed by the Study Team

3.2.1 Discussion

The Intimidation Panel reviewed three alleged or suspected incidents of intimidation that were not reviewed by the study team. These events were reviewed only by the intimidation panel because they were forwarded to the panel late in the review process, and after a preliminary review by the panel chairman he determined that the alleged or suspected events were not of significant concern to require a review by the study team. The incidents were subsequently reviewed by the panel, which concurred in this decision.

3.2.2 Intimidation Panel Conclusions

A description of each event and the findings of the Intimidation Panel are discussed below.

a. On January 15, 1985 the Comanche Peak Project Director forwarded to the Intimidation Panel a portion of the deposition of Mr. Mouser, a former CPSES QC inspector ~~(Mr. Mouser)~~. (The material was forwarded to the panel at the suggestion of the Chairman of the ASLB.) In the deposition, Mr. Mouser stated that he had informed Mr. Tolson (TUEC QA Manager) as to how he and his fellow workers were going to review and verify individual DCAs (Design Change Authorizations) and CMCs (Component Modification Cards). Mr. Tolson became upset and told them, "No. That's not the way I want it done." Subsequent to this meeting Mr. Mouser and his supervisor went back to Mr. Tolson,

OI Investigation Report 4-84-006, concerning alleged intimidation of QC personnel, included an interview of a former boilermaker foreman. Although the investigation concerned the alleged intimidation of QC personnel, the boilermaker foreman indicated that he had been subjected to systematic harassment, particularly following the identification of quality-related deficiencies to the Brown and Root (B&R) management in Houston.

The individual also identified technical concerns which were reviewed by the Technical Review Team (TRT), including concerns associated with the emergency diesel generator shields. The fuel transfer tube (transition piece), the steam generator head insulation supports, the fuel pool liners, cleanliness swipe testing, the component cooling water surge tank supports, and welding to rebar. The results of the TRT review of the technical concerns are documented in ~~the appropriate Safety Evaluation Report (SSER) supplement~~. The individual also provided information regarding the main condenser installation, ~~and the installation~~ which is not safety-related, but can directly affect the quality of the secondary water being supplied to the main steam generators.

Subsequent to the individuals' visit to the B&R corporate management in Houston ~~during the~~ late summer of 1982, the boilermaker foreman indicated that he was specifically given the "third degree" by management upon his return to the plant site from Houston. Further, the interview revealed that he was placed in "confinement" in the shop area in a "cage" and was told to "just make like I was doing something." The interview revealed that shortly afterwards, when he was faced with either being transferred to an area where he did not feel comfortable or being subjected to a reduction-in-force (RIF), the boilermaker foreman quit B&R. The individual quit B&R in September 1982, after working for B&R since 1970.

Based on the information available for review, the intimidation panel concluded that the facts presented in the OI investigation report, associated with the final months of employment of the boilermaker foreman certainly could have ~~, and likely did~~ have a chilling effect on the identification of ~~nonquality~~ deficiencies in the work performed by fellow quality workers. This individual appeared to have been treated by management in a fashion which demonstrated that, in this instance, management was interested in cost, production, and scheduling of ~~even at the cost of acceptable quality in~~ safety-related activities ~~to the detriment~~ of quality.

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who agreed to allow them to do the review as they had originally proposed. This incident does not constitute an act of intimidation, because Mr. Tolson's statement was not likely to have caused a reasonable individual to do something that was contrary to existing requirements. Further, Mr. Toldson later ~~he~~ changed his position at the urging of his employees.

b. On January 28, 1985 the Comanche Peak Project Director forwarded to the intimidation panel a portion of Mr. Mouser's deposition in which he alleged that an NRC OI investigator had apparently disclosed confidential information to TUEC employees. Nothing in this alleged incident linked any CPSES employees to ~~an act of intimidation~~ any improper actions, and thus this event does not constitute an act of intimidation.

c.

3.3 TRT Findings In Those Areas Where Intimidation Occurred

On March 21, 1985 the Intimidation Panel met with members of the TRT to determine if they had found technical concerns in accessing ~~in~~ those areas in which the panel found acts of intimidation. In the following list, identified acts of intimidation, as reported in Attachment 3 ARL correlated with the TRT's technical findings.

(1) D. Stiner - Weave Welding on Pipe Supports.

This area was examined by both Region IV and the TRT. Neither group could substantiate the technical allegations.

(2) D. Stiner - Circuit Breaker Article

There is no technical area associated with this intimidating event.

(3) W. Dunham - Intimidation of Coatings Inspectors

The TRT Coatings Group found that the inspection procedures in this area were inadequate and that the QC inspectors were not finding the pinholes in the coatings. They did find a higher-than-normal percentage of faulty coatings, but could not conclude that it could be attributed to the inspectors having been intimidated.

(4) W. Dunham - Termination

The higher-than-normal percentage of faulty coatings at CPSES may be linked to this intimidating event, but there is insufficient information to indicate that this was a major or contributing cause.

(5) S. Neumeyer - Liner Plate Traveller Incident.

The QA/QC Team of the TRT did find a concern in the documentation of this area (see AQ-55 and AQ-78 in SSER-11), but the Civil/Structural Group found no significant problem in liner plate welds (see AC ___ in SSER-8).

(6) C. Allen - ALARA and DCA Reviews

The TRT Coatings Group found approximately eight significant discrepancies. The generic implications of the allegation are being reviewed as part of TUEC's corrective action plan for TRT findings. (See AQO-35 of SSER-9)

(7) C. Allen - Detergent on Coated Surface

The TRT Coatings Group determined that the detergent on the coatings was not a detriment to the coatings.

(8) C. Allen - Cigarette Filter Incident

The TRT Coatings Group concluded that small amounts of water and oil in the paint would have had no impact on its adherence properties. Large quantities of water and oil would have been obvious to a trained QC inspector. (See AQO-17 in SSER-9)

(9) T-Shirt Incident

The T-Shirt incident was addressed by the QA/QC Group (see AQ-46 in SSER-11) and the Electrical Group (see Electrical Category No. 5 in SSER-7). Neither team could find any indication that the incident had a negative impact on their areas.

(10) S. Neumeyer - Stanford Incident

The TRT found no problem with the documentation of the welds in question in this allegation, but there was a question as to whether or not the non-destructive testing of the welds had been performed.

4. MANAGEMENT IMPLICATIONS

4.1 Climate of Intimidation

In Attachments 1 and 3, the study team concluded that there was no "climate of intimidation" at CPSES. Based on the definition of "climate of intimidation" used by the study team, the Intimidation Panel agrees with that conclusion.

The panel agrees with the study team that the small number of reported incidents of intimidation at a large site like CPSES suggests that intimidation was not pervasive. The Intimidation Panel is concerned, however, that the management style at CPSES (to be addressed in Section 4.2) establishes a work environment in which the right chemistry exists for actual or perceived intimidation to occur, given the right set of circumstances. Immediate attention is needed and actions which would offset this conditions are addressed in Section 5, of this report.

4.2 Management Style

In Attachments 1 and 3, the study team addressed the management style and interface problems (See Sections 3.3 and 3.4 respectively) as reported in depositions and in the surveys. The Intimidation Panel is also concerned about the apparent autocratic/bureaucratic, and on occasions arrogant, style in the behavior of CPSES management.

TRT personnel (Section 3.3) informed the panel that they observed a work environment characterized by employee fear of management at CPSES. Since CPSES is a non-union project, and there was no effective internal grievance system, ~~so that~~ each employee holds his or her position at the discretion of management.

In sum, it is the panel's view that the environment created by the management style at the CPSES facility does not necessarily lead to improper construction or quality control. The panel is aware that many projects have been built effectively with an unquestioning autocratic management style. However, it is the view of the panel that an important ingredient for an effective QA program to monitor the quality of construction is an environment where employees may freely raise safety-related concerns to an interested management. While it is clear that employees did raise concerns, some even making allegations of intimidation, there was a perception by employees, whether valid or not, that some management personnel did not want to hear concerns nor did they always provide adequate explanations to employees with these types of questions. This is not to say that every employee had valid concerns. TUEC hires, trains, and directs the activities of the employee, but if it is going to keep the employee in a responsible position, it must ~~be satisfied~~ assure that the employee understands his or her job. It cannot keep the employee in a responsible position and not provide adequate explanations regarding his or her concerns. Failure to do so ~~invites an employee attitude of irresponsibility~~ will have an impact on the attitude of the employees which ~~will~~ can result in the employee not ~~carrying out the~~ performing as expected ~~job~~. The panel cannot conclude, however, that the management style at CPSES contributed in any way to the quality assurance problems there. Poor procedures, inadequate training, and insufficient management direction could also have caused or contributed to the quality assurance problems.

5. ACTION RECOMMENDED

The concerns expressed by some TRT participants and the collective findings of the study team and the Intimidation Panel suggest a need for action by TUEC management. The panel recommends that TUEC take action to assure that the

management style of the TUEC organization is conducive to assuring a quality project. The panel does not recommend any one course of action such as the replacement of one or more managers, or a reorganization, or a change in procedures to develop an internal grievance procedure that is recommended for changing the attitudes and perceptions of the past. TUEC's management should take an objective look at the past incidents described in this SSER, as well as the current situation at the site, and take steps as necessary to assure a "quality first" attitude by its management and employees. The use of an independent consultants to conduct this evaluation may be appropriate and should be considered. The overall effort should be directed at establishing trust between the employees and management ~~to~~ which will eliminate any fear of reprisals for anyone who identifies safety concerns or questions safety procedures.

In making these recommendations it is important to reiterate that the panel is not saying that there is a pervasive climate of fear or that TUEC's management style in fact directly contributed to the quality problems. But given the examples described in the record and the perceptions of some TRT members, the panel believes that a concerned management would take aggressive and dynamic action to avoid and erase any question of a potential problem of intimidation or harassment.

ATTACHMENT 2

List of Allegations of Intimidation Review by the Intimidation Panel and The Study Team.

A. Allegations Reviewed by the ASLB

1. Intimidation of QC Inspector in Auxiliary Building

Mr. Robert Messerley alleged that he observed Mike Robinson, a general forman for cable tray supports, yelling and shouting obscenities at a QC inspector for "red-tagging" too many cable tray supports.

2. Termination of Henry Stiner

Henry Stiner, a welder, alleged that he was terminated for reporting a gouge in a pipe to a QC inspector. Stiner allegedly discovered a gouge in a pipe near where he was welding on a pipe hanger. His foreman supposedly wanted to cover it up and witnessed Stiner showing the gouge to QC inspector Sue Ann Neumeyer. Shortly thereafter, Stiner was terminated. Applicants assert Stiner was terminated for absenteeism.

3. Weave Welding on a Pipe Support in the Auxiliary Building

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleged that she wrote an NCR identifying unacceptable weave welds on a pipe support in the Auxiliary Building. According to Mrs. Stiner, she was intimidated by craftworkers and by her supervisor, Harry Williams, into improperly accepting the welds on the NCR.

4. Welding of Diesel Generator Skids

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleged that she was harassed and intimidated by her supervisor, Harry Williams, when he assigned her to conduct inspections of welds on the diesel generator skids for CPSES, even after she protested that she was unqualified to conduct these inspections.

5. Voiding of NCR on Polar Crane

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleged that an NCR which she wrote regarding a hole in the polar crane rail was improperly voided and the hold tage improperly removed.

6. Incidents Intended to Have Mrs. Stiner Leave CPSES

Mrs. Darlene Stiner, a former welded and QC inspector at CPSES, related a series of incidents which she believes were intended to force her to leave her employment at the CPSES site. These related incidents are (1) meetings with Ronald Tolson and C. Thomas Brandt where Mrs. Stiner claims they pressed her about her health and her ability to continue work due to her pregnancy; (2) Mr. Brandt's request that she provide a doctor's note each week to certify her capability to work; and (3) an incident where she was refused admittance to a bus carrying workers to CPSES, which she blames upon articles in the Circuit Breaker (a company newsletter distributed at the site).

7. Harassment Due to Relocation of an Office

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, claims that she was harassed by Applicants after giving testimony in the July 1982 hearing session. The harassment consisted of moving her office four times over a two-day period, and of finally placing her in a shack that she claimed was not sturdy, dirty, not provided with airconditioning for three days, and was smaller than her original office.

8. Harassing Telegram Accusing Mrs. Stiner of Improperly Copying Documents

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleged that a letter sent by Applicant's counsel to Mrs. Juanita Ellis (President of CASE) and to the other parties accused her of stealing and lying, and threatened her termination if caught. In actuality, a telegram, not a letter, was sent to Mrs. Ellis, and the telegram did not accuse Mrs. Stiner of lying and stealing. Rather the telegram suggests that Mrs. Ellis was improperly encouraging Mrs. Stiner to copy and remove documents from on-site.

9. Weld Symbols on Doors

Mrs. Darlene Stiner, a former welder and QC inspectors at CPSES, contends that she was told by Thomas Brandt to improperly accept doors which had not been properly welded in accordance with the design drawings for the doors.

10. Intimidation of Welding QC Inspector in North Valve Room

Mr. Stanley Miles, a former iron worker at CPSES, alleged that he saw a QC inspector identify improper welding in the North Valve Room. According to Mr. Miles, the QC inspector left, saying he was going to stop it, but later returned and did not stop the improper welding.

11. Intimidation of Protective Coating QC Inspectors

Mr. William Dunham, a former protective coatings QC inspector at CPSES, alleged that he was aware of attempts by his supervisor, Mr. Harry Williams, to intimidate protective coatings QC inspectors.

12. William Dunham's Termination

Allegation that QC inspector William Dunham was terminated because of his complaints concerning QC. Dunham's termination paper states he was terminated for insubordination. Dunham filed a complaint with the Department of Labor claiming he was fired for criticizing the QC program, and one Harry Williams in particular.

13. Liner Plate Traveler Incident

Sue Ann Neumeyer alleged that she was intimidated into signing off on QC weld hold points on liner plate travelers. Neumeyer allegedly was ordered to sign off QC weld hold points for fitup and cleanliness on travelers for the stainless steel liner plates

of the Unit 2 reactor cavity. Her signature was to be verified by inspection chits purportedly done by other inspectors for these hold points a few years previously. Neumeyer did not agree that the chits matched the hold points she was to sign. She alleges she was compelled to sign under threat of losing the upcoming weekend off. Applicants assert that the procedure Neumeyer was to follow was proper and therefore she was not intimidated.

14. Cory Allen

Cory Allen testified as a Board witness on September 18-19, 1984. Mr. Allen was employed by Ebasco Construction Services, his administrative supervisor was C. Thomas Brandt; however, his field supervisor was Harry Williams and later Fred Dunham and Evert Mouser.

Mr. Allen recounted several incidents relating to harassment and intimidation. The first incident involved Mr. Allen's job interview with Mr. Brandt. According to Mr. Allen, as a result of his meeting with Mr. Brandt, he had a strong impression that notwithstanding his expertise, Mr. Brandt did not want him to question QC procedures or engineering judgments. The second incident involved a concern Mr. Allen had regarding ALARA review and reviews of design change authorizations (DCAs). According to Mr. Allen, he raised these questions to Cecil Manning, Training Quality Engineer, who was unable to answer his questions. Mr. Manning instead took

Mr. Allen to Ron Tolson's office to discuss the matter. At that meeting, according to Mr. Allen, Mr. Tolson indicated to Mr. Allen that he was not to concern himself with engineering matters but instead was to concentrate all of his efforts on performing inspections. Mr. Allen was ~~called~~ later called to discuss the same matter with Mr. Brandt. As a result of these encounters, Mr. Allen testified that he was reluctant to write an NCR unless it was a "garden-variety" type NCR.

The third instance of harassment alleged by Mr. Allen involved members of the painting crew. According to Mr. Allen, he was ordered by Mr. Haley, a paint foreman, and other painters to perform inspections. Mr. Allen stated that if he did not accede readily to their demands, a complaint would be lodged with his supervisor, Harry Williams, who invariably sided with craft.

The fourth incident involved an NCR written by Mr. Allen reporting an indeterminate substance on a coated surface which he had inspected. Mr. Allen testified that after writing the NCR Harry Williams told him not to report for work the next day but instead report directly to Mr. Brandt on his next scheduled work day. During this meeting, Mr. Brandt questioned Mr. Allen's judgment and suggested that he was paranoid.

The final incident recounted by Mr. Allen involved the alleged use by painters of cigarette filters in the spray painting equipment. In Mr. Allen's view, painters inserted cigarette filters in the cheater valves of spray guns to pass the air acceptability inspection because the filters made the air supply appear cleaner than it was; the painters then would remove the filters after the test. Before Mr. Allen could report this alleged non-conforming condition, however, a complaint was lodged with Mr. Allen's supervisors. A meeting was held between Mr. Allen, Mr. Brandt, Jim Bracken, the paint foreman, and Mr. Williams. According to Mr. Allen, Mr. Brandt sided with the painters because Mr. Allen did not have personal knowledge that the filters were removed by painters subsequent to the air acceptability test and because the use of cigarette filters was not a violation of any procedural requirement. Consequently, Mr. Allen did not write an NCR. ~~It should be noted that the Technical Review Team has confirmed Mr. Allen's allegation.~~

15. T-Shirt Incident

Intervenor alleged that electrical QC inspectors wearing T-shirts were intimidated by management. Certain electrical QC inspectors were wearing T-shirts referring to "nitpickers." They were subsequently sequestered by management and their desks searched. (There is a question of their prior involvement with "destructive testing" prior to the incident.) Some of those

involved were later transferred or terminated. Applicants assert management might have overreacted, but the actions taken were not intimidation.

16. Valve Disk Incident

Linda Barnes alleged that when she brought a discrepancy in valve disk numbers to the attention of her supervisor, he told her it didn't matter, which made Barnes "discouraged." She was shown a traveller by Meddie Gregory with a valve disk number which did not match the disk number of the Data Report. When she brought this to the attention of her supervisor, Gregory Bennetzen, he told her it didn't matter and would cost too much money to check. Applicants assert that it really didn't matter and deny that cost would be a factor if the discrepancy were real.

17. Witness F

Witness F was a system test engineer ("STE") employed by Impell Corporation at CPSES from September 1982 through April 1982. Witness F was assigned to the Electrical Startup Group, which is part of the Startup Organization. Witness F described five incidents which he believed were examples of intimidation or threats against him. In brief, these are: (1) an allegation that Fred Powers told Witness F, "You're treading on thin ice," in response to Witness F's refusal to sign a startup work authorization ("SWA") because of his belief that there was an inconsistency between ES-100 and Regulatory Guide 1.75

("R.G. 1.75"); (2) that Dick Camp tried to discourage Witness F from calling the NRC on the ES-100/RG-1.75 conflict; (3) an allegation that Ivan Vogelsang threatened Witness F that he would get John Merritt to "pull his chain;" (4) that Ken Luken harassed Witness F in connection with a problem with ferro-resonant transfers; and (5) that Art London told Witness F that if he had enough time to find problems (such as the ferro-resonant transformer problem and the apparent conflict between ES-100 and R.G. 1.75) that he had time to do more work. ~~The testimony relating to these incidents may be found at:~~

18. Stanford Incident

Alleged intimidation regarding voided NCR written by Sue Ann Neumeyer. Neumeyer wrote the NCR on a QC inspector (Stanford) who indicating he had falsified dates, thus enabling a draft to bypass QC hold points. The NCR was voided. Applicants assert that the dates were changed only to correct error.

19. Pressure on N-5 Viewers

Meddie Gregory alleged that undue pressure was applied to QA/QC document reviewers. She alleged that her supervisor, Gregory Bennetzen pressured/intimidated the N-5 document reviewers by: (1) demanding 40 iso's a week; (2) threatening the use of job shoppers; (3) commenting on company loyalty.

20. QES Review Sheet Incident

Meddie Gregory alleged that her supervisor ordered a reviewer to sign off a QES review sheet without doing the review. She alleged that Bennetzen ordered a reviewer, Darby, to sign off on a QES cover sheet when the original was missing without having Darby do the review. Applicants assert that this is an acceptable practice.

21. Reduction of Force (ROF) Incident

Meddie Gregory alleged that there is something wrong with the way employees are selected for a ROF. She alleged that the more qualified people were ROF'd. Applicants response is that there is a comprehensive, mainly objective method of selection.

22. QC Coatings Inspectors Terminated for Refusal to Inspect at High Elevations

Three QC Coatings Inspectors (Hamilton, Krolak, and Shelton) alleged that they were terminated on March 9, 1982 for refusing to inspect coatings from the elevated platform rail in the Unit 2 Reactor Building.

B. OI Inquiry Reports

Q4-82-005	Alleged Improper Weld Practices
Q4-82-0011	Alleged Improper Termination of a QC Inspector
Q4-82-025	Alleged Radiographic Irregularities
Q4-83-009	Alleged Inadequacies in As-Build QC Inspection Program
Q4-83-011	Alleged Poor Construction Practices
Q4-83-021	Alleged Intimidation of Electrical Craft Personnel
Q4-83-022	Alleged Improper Implementation of Technical Procedures
Q4-83-023	Alleged Poor Management Practices
Q4-83-025	Alleged QA Supervisor Discouraging the Use of Nonconformance Reports
Q4-83-026	Alleged Deficiencies in Coatings Program
Q4-84-001	Alleged Improper Construction Practices
Q4-84-007	Alleged Violations of Construction Practices
Q4-84-011	Alleged Intimidation of a BOP Inspector
Q4-84-014	Preserved Testimony of a Witness
Q4-84-016	Alleged Improper Construction Practices
Q4-84-037	Alleged Threat of "Blackballing" a Former QC Inspector
Q4-84-046	Suspected Harassment of a QC Inspector

C. OI Investigation Reports

4-82-012 Alleged Electrical Deficiencies

A former Electrical Department worker alleged four occasions of improper construction practices at CPSES in 1980.

4-83-001 Alleged Intimidation of QC Coatings Inspectors

A former QC Coatings Inspector alleged that the supervisor (Harry Williams) of the QC Coatings Inspectors had twice threatened the inspectors to stop nit-picking during their inspections or he would pull their certifications (See A-11 above).

4-83-006 Alleged Falsification of QC Records

A QC inspector alleged that a signature had been forged on an NCR that had been prepared by a former QC inspector and had been an issue before the ASLB.

4-83-011 Suspected Falsification of QC Records

A QC inspector alleged that records of some of his prior inspections had been altered or falsified.

4-83-013 Potential Intimidation of QC Inspectors by the Termination of C. Atchison

Investigation to determine if QC inspectors were intimidated by the termination of a former QC inspector (Charles Atchison).

4-83-016 Alleged Intimidation of QC Coatings Inspectors by the Termination of W. Dunham

Investigation to determine if QC Coatings Inspectors had been intimidated by the termination of another QC Coatings Inspector (William Dunham). (See A-12 above)

4-84-006 Alleged Intimidation of Twenty-Four (24) CPSES Employees

Juanita Ellis (President, CASE) gave two NRC representatives a list of 24 CPSES employees who she alleged had been intimidated.

4-84-008 Alleged Intimidation of QC Personnel

A QC inspector alleged that she was subjected to a series of eight meetings intended to intimidate her following her appearance before the ASLB.

4-84-012 Alleged Intimidation of Welding Crew

An iron-worker alleged that a superintendent of ironworkers regularly threatened and intimidated the ironworkers.

(11)

ABSTRACT

Supplement 13 to the Safety Evaluation Report for the Texas Utilities Electric Company application for a license to operate Comanche Peak Steam Electric Station, Units 1 and 2 (Docket Nos. 50-445, 50-446), located in Somervell County, Texas, has been prepared by the Comanche Peak Intimidation Panel of the U. S. Nuclear Regulatory Commission. This Supplement provides the panel's evaluations of approximately 33 cases of allegated intimidation and harassment of quality assurnce/quality control (QA/QC) employees at the Comanche Peak facility. Many of these cases have been addressed at recent Atomic Safety and Licensing Board hearings. The Comanche Peak Intimidation Panel and a study team which served as consultants to the panel concluded that ten of the alleged incidents did met the criteria for intimidation, but the panel and study team did not find pervasive incidents of intimidation. The panel did find that the mangement style at CPSES creates a work environment which could lead to intimidation.

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1 INTRODUCTION

On July 14, 1981, the U. S. Nuclear Regulatory Commission (NRC) issued a Safety Evaluation Report (SER) (NUREG-0797) related to the application by the Texas Utilities Electric Company (TUEC) for a license to operate Comanche Peak Steam Electric Station (CPSES) Units 1 and 2. Subsequently, twelve supplemental Safety Evaluation Reports (SSERs) were issued by the staff. This report, Supplement No. 13, addresses approximately 33 allegations of intimidation and harassment of QA/QC employees at Comanche Peak. Appendix Q to this report provides details of the Comanche Peak Intimidation Panel's evaluation of each allegation and the panel's findings.

The allegations of intimidation and harassment at Comanche Peak were part of the regulatory issues that remained outstanding as construction of the Comanche Peak facility neared completion. The Atomic Safety and Licensing Board presiding over the proceedings related to the CPSES operating license application had determined in March 1984 that it must address and resolve the allegations of intimidation and harassment to resolve the only remaining contention (Contention 5) in the proceeding. The Board began its proceedings on the intimidation and harassment issues in the summer of 1984.

In July 1984, the Project Manager of the Comanche Peak Technical Review Team (TRT) directed a team of consultants to review the record of allegations of intimidation and the work climate at the CPSES site to determine whether a climate of intimidation existed among QA/QC personnel at the site. Their report,

issued in September 1984, concluded that a climate of intimidation did not exist at CPSES (See Attachment 1 to this Appendix). Since the study team did not independently assess individual incidents of alleged intimidation and did not a review all OI investigation reports relating to alleged intimidation incidents at CPSES, the NRC TRT recognized that the report did not constitute an overall assessment of the intimidation and harassment issue, but that it would contribute to resolution of the intimidation and harassment issue.

The study team continued its review of all available information related to the intimidation issue. In a parallel effort, NRC's Executive Director for Operations (EDO) issued a directive on December 24, 1984, establishing the Comanche Peak Intimidation Panel to provide its findings on intimidation to NRC management. The study team subsequently became consultants to the Intimidation Panel. Attachment 2 to this Appendix is a listing of intimidation allegations reviewed by the panel and the study team.

Attachment 3 to this Appendix is a supplement the study team's initial report and includes its evaluation of each alleged incident of intimidation. The Comanche Peak Intimidation Panel has reviewed the results of this evaluation and concurs with its findings. The recommendations of the Intimidation Panel are discussed in Section 5 of this Appendix.

Management and coordination of all the outstanding regulatory actions for Comanche Peak are under the overall direction of Mr. Vincent S. Noonan, the NRC Comanche Peak Project Director. Mr. Noonan may be contacted by calling 301-492-7903 or by writing to the following address:

Mr. Vincent S. Noonan
Division of Licensing
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Copies of this Supplement are available for public inspection at the NRC's Public Document Room at 1717 H Street, NW, Washington, D. C. 20555, and the Local Public Document Room, located at the Somervell County Public Library On The Square, P. O. Box 1417, Glen Rose, Texas, 76043. Availability of all material cited is described on the inside front cover of this report.

2. THE COMANCHE PEAK INTIMIDATION PANEL AND ITS ADVISORS AND CONSULTANTS

Panel Members

Axelrad, J.	-	Enforcement Staff, IE, NRC
Gagliardo, J.	-	Technical Training Center, IE, NRC
Hunter, D.	-	Reactor Projects Branch - RIV, NRC
Lieberman, J.	-	Regional Operations Enforcement Division, ELD, NRC

Panel Advisors

Griffin, B.	-	OI Field Office, RIV, OI, NRC
Ippolito, T.	-	Office for Analysis and Evaluation of Operational Data, NRC
Kaplan, B.	-	EG&G
Noonan, V.	-	Comanche Peak Project, NRR, NRC
Scinto, J.	-	Hearing Division, ELD, NRC
Treby, S.	-	Hearing Division, ELD, NRC

The EG&G Study Team and Its Consultants:

Andognini, G.	-	LRS Consultants
Bowers, D	-	Rensis Likert Associates
Kaplan, B.	-	EG&G
Margulies, N.	-	Graduate School of Management, University of California at Irvine
Rice, C.	-	LRS Consultants
Stratton, W.	-	Idaho State University

APPENDIX Q

STATUS OF STAFF EVALUATION AND RESOLUTION OF ALLEGATIONS OF INTIMIDATION AND HARASSMENT OF QA/QC PERSONNEL AT COMANCHE PEAK STEAM ELECTRIC STATION UNITS 1 AND 2

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1. INTRODUCTION

As construction of the Comanche Peak Steam Electric Station was nearing completion, issues that remained to be resolved prior to the consideration of issuance of an operating license were complex, resource intensive, and spanned more than one NRC office. To ensure the overall coordination and integration of these issues, and to ensure their resolution prior to licensing decisions, the NRC's Executive Director for Operations (EDO) issued a memorandum on March 12, 1984, directing the NRC's Office of Nuclear Reactor Regulation to manage all necessary NRC actions leading to prompt licensing decisions, and assigning the Director, NRC's Division of Licensing, the lead responsibility for coordinating and integrating the related efforts of various offices within the NRC.

The principal areas needing resolution before a licensing decision on Comanche Peak could be reached included: (1) the completion and documentation of the staff's review of the Final Safety Analysis Report (FSAR); (2) those issues in contention before the NRC's Atomic Safety and Licensing Board (ASLB); (3) the completion of necessary NRC regional inspection actions; and (4) the completion and documentation of the staff's review of technical concerns and allegations regarding design and construction of the plant.

To evaluate and resolve the technical concerns and allegations regarding design and construction of the plant, a Technical Review Team was formed. On July 9, 1984, the TRT began its 10-week (five 2-week sessions) onsite effort, including interviews of allegers and TUEC personnel, to determine the validity of the technical concerns and allegations, to evaluate their safety significance, and

to assess their generic implications. The TRT consisted of about 50 technical specialists from NRC Headquarters and NRC Regional Offices, and NRC consultants, who were divided into groups according to technical disciplines. Each group was also assigned a group leader.

Of the contentions before the ASLB, only one (Contention 5) remained unresolved in the CPSES operating license application proceeding. Contention 5 alleges that:

> The Applicant's failure to adhere to the quality assurance/ quality control provisions required by the construction permits for Comanche Peak, Units 1 and 2, and the requirements of Appendix B of 10 CFR Part 50, and the construction practices employed, specifically in regard to concrete work; mortar blocks; steel; fracture toughness testing; expansion joints; placement of the reactor vessel for Unit 2; welding; inspection and testing; materials used; craft labor qualifications and working conditions (as they may affect QA/QC and training and organization of QA/QC personnel, have raised substantial questions as to the adequacy of the construction of the facility. As a result, the Commission cannot make the findings required by 10 CFR § 50.47(a) necessary for issuance of an operating license for Comanche Peak.

The ASLB decided in March 1984, that in order to resolve Contention 5, it must consider the allegations of intimidation and harassment. Prehearing conferences were held in June 1984; depositions were taken in July and August 1984; prehearing testimony was filed in August 1984, and the hearings commenced on September 10, 1984. The hearings will continue after the issuance of this SSER.

In July 1984, the Manager of the Technical Review Team (TRT), retained the services of a group of consultants to determine whether or not a climate of intimidation was created by CPSES management among QA/QC personnel. The study team's report, issued in September 1984, concluded that a climate of intimidation did not exist at CPSES (See Attachment 1).

Since the study team did not independently assess individual incidents of alleged intimidations and did not review all OI investigation reports relating to intimidation issues at CPSES, NRC management decided that the report would not constitute the sole basis for the agency's final position on intimidation and harassment issues at CPSES. The report would, however, contribute to the agency's final determination of intimidation and harassment issues.

The study team continued its review of all documentation available on alleged cases of intimidation, and expanded its effort to include an assessment of individual cases of alleged intimidation. The additional documentation included depositions taken in July and August 1984, prehearing testimony filed in August 1984, transcripts of the hearings which began on September 10, 1984, and NRC Office of Investigations (OI) investigation and inquiry reports. (Attachment 2 lists the allegations reviewed by the panel and the study team.)

As the Comanche Peak TRT neared completion of its efforts, NRC management established a panel to evaluate findings by TRT and other inspection, review, and investigation efforts at CPSES to determine the relationship between these findings and the issues raised in Contention 5. Management also organized a panel of senior managers to review, evaluate, and establish an agency position on all intimidation and harassment issues at CPSES. Accordingly, on December 24, 1984, the EDO issued directives establishing a Comanche Peak Contention 5 Panel and a Comanche Peak Intimidation Panel. The Intimidation Panel was tasked with providing NRC management with a position on the intimidation question at CPSES. The Intimidation Panel and the study team subsequently discussed their respective findings, found that their efforts were duplicative, and that the findings of the two groups were similar for those cases reviewed by both groups. The Intimidation Panel decided to retain study team members as consultants and to use the study team's findings as the basis of this SSER.

Attachment 3 is the study team's supplemental report of the original report (Attachment 1) and documents the team's review of the additional material provided to it after its initial effort.

This SSER documents the Comanche Peak Intimidation Panel's efforts to comply with its charter (Attachment 4) to provide (1) NRC management with a position on the intimidation question at CPSES, and (2) information to the Comanche Peak Contention 5 Panel. Findings regarding alleged intimidation issues are summarized in Section 3. The panel's findings regarding the climate of intimidation

at CPSES and the management implications of the findings are provided in Section 4. Section 5 addresses the actions required by TUEC to improve the confidence of CPSES employees in their management and to dispel the detrimental effects of both past acts of outright intimidation and a management style that left the clear impressive that acts of intimidation would occur in the future.

The confirmed incidents of intimidation may constitute potential violations of NRC rules and regulations. These potential violations have not been addressed in this SSER, but will be reviewed by the NRC staff for the appropriate followup actions.

2. ALLEGATION REVIEW PROCESS

2.1 Definition

To define the criteria for determining if an incident involved actions that constituted intimidation or harassment, the Intimidation Panel examined the following definitions: (1) those offered by the parties to the hearing during the prehearing conference, (2) the definition of harassment and discrimination developed by the Enforcement Staff of the Office of Inspection and Enforcement in a previous enforcement action (EA-83-132) involving Comanche Peak; (3) the study team's definition of intimidation used in its September 1984 report (Attachment 1); and (4) the definition of intimidation used by the NRC Office of Investigations.

After considering the various definitions, the panel took elements from these definitions to arrive at the following definitions of intimidation, harassment and discrimination:

Intimidation or Harassment: Incidents, statements or other actions that are reasonably likely to influence employees to refrain from performing safety-related work in accordance with requirements or identifying or reporting quality discrepancies or safety problems.

Discrimination: The showing of prejudice in the treatment of employees for performing safety-related work or reporting quality discrepancies or safety problems to their management or to the NRC. The showing of prejudice may include adverse actions such as discharge or other actions that relate to the terms, conditions, and privileges of employment.

The panel used these definitions in evaluating specific incidents of intimidation. The study team also used the above definition of intimidation in its supplemental review of the alleged incidents of intimidation.

The major point of departure of these definitions from others is that the intimidated person need not have actually done something contrary to requirements, or have refrained from doing something in accordance with requirements. The criteria call for a judgment of whether an action was reasonably likely to influence an employee to act contrary to a requirement. According to other definitions, under some circumstances a "thick skinned" employee might never be influenced to violate requirements, while the same circumstances could cause another employee to violate requirements because of fear of reprisals.

The intimidation panel's definition includes actions directed against any individual who performs quality related activities. Therefore, actions which would influence a craftsman to perform quality-related construction activities that are contrary to required procedures or specifications, or to refrain from reporting known deficiencies, may be considered intimidating.

2.2 Documentation Reviewed

The Intimidation Panel and the study team reviewed all documentation available for the 33 alleged incidents of intimidation. The documents that were reviewed included:

a. Transcripts of the ASLB hearings on intimidation issues,

b. Selected transcripts of ASLB hearings on technical issues related to the alleged intimidation incidents,

c. Depositions taken in July and August 1984 prior to the intimidation hearings,

d. Prefiled testimony of witnesses called into the intimidation hearings,

e. Selected transcripts of followup interviews conducted by the TRT staff,

f. OI investigation and inquiry reports related to the alleged intimidation incidents,

g. Department of Labor Transcripts related to the alleged discrimination against a CPSES QC inspector.

2.3 Review Format

In performing the review of the alleged acts of intimidation, the Intimidation Panel considered a number of factors related to the reported incident. These factors included:

a. The positions and duties of the person or persons subject to the alleged intimidation event;

b. The positions and duties of other persons involved in the alleged intimidation event, such as fellow workers or observers;

c. The position and duties of the person or persons alleged to have intimidated the subjects and the relationship (supervisor - employee, etc.) between the alleged intimidators and the recipients of the intimidating action;

d. The date and place of the alleged intimidating event and the area of work involved (e.g. welding, coatings);

e. The perceived or inferred intent of the person or persons taking the alleged intimidating action; and

f. The perceptions of the recipient (persons being intimidated) of the alleged intimidating action.

2.4 Panel Review and Discussion

After the Intimidation Panel had been formed and the definitions and review format had been established, the panel determined the scope of the overall task. In the Section of the Charter (Attachment 4) entitled, "Action Items," the appropriate data base for the review included:

a. The study team report (Attachment 1);

b. Enforcement packages issued by IE that related to the alleged intimidation events;

c. Depositions taken by the parties to the hearings;

d. The proposed findings on the Comanche Peak intimidation issues that were filed by the parties to the hearings;

e. Transcripts of the ASLB hearings related to the intimidation issues;

f. OI reports of investigations and inquiries into alleged intimidation events; and

g. Transcripts of the Department of Labor hearings into issues of intimidation, harassment and discrimination.

To assist in this effort the staff counsel in these proceedings provided the panel with the proposed findings of fact that had been filed by each party to the proceedings and with a listing of the deposition, transcript and other references related to each of the intimidation issues before the ASLB (although these did not comprise a complete listing of the issues).

The panel was also briefed by the OI investigator involved in the investigation of CPSES intimidation issues. He also provided each of the panel members with a copy of the investigation and inquiry reports that had been issued on the alleged intimidation events that were investigated by OI.

Since the data base was much too large to be reviewed by all the panel members in its entirety within a reasonable time, the panel divided the review responsibility among the panel members. Each member was assigned a number of alleged intimidation events and was responsible for reviewing all available

material applicable to their assigned events using the review format listed in Section 2.3 above as guidance. Upon completion of the reviews each panel member was to discuss with the panel during a scheduled panel meeting the details of each assigned event, the result of his/her review, and any issues associated with the events. The panel was then to make a collegial decision as to whether or not the event constituted an act of intimidation as defined in Section 2.1, above.

The panel began its review of the data provided in late December 1984 and began the collegial review of the findings in February 1985.

2.5 Interaction With Study Team

As the review and evaluation of the data proceeded, the panel became aware of the parallel efforts of the study team, which was now operating under its expanded charter and decided to meet with the study team to compare preliminary findings. When they met on February 15, 1985, the Intimidation Panel had completed about one-third of its reviews and the study team had essentially completed its review. The two groups found that for those events which had been reviewed by both groups, they had reached similar conclusions.

When this finding was communicated to the NRC management responsible for the Intimidation Panel and the study team, they decided to adopt the panel's recommendations, to discontinue the duplication of effort, and to assign the study team to act as consultants to the Intimidation Panel. The study team's effort was

expanded to include a review of additional intimidation data (since they had not reviewed all OI reports) and the results of the review were included in their supplemental report. Their supplemental and initial reports would be used as the basis for this report.

The study team and Intimidation Panel met on several occasions (in person and by conference call) to discuss their respective findings and to review the study team's reports. The results of their joint effort appears in Attachment 4 and represents the collective position of the study team.

3. CONCLUSIONS

3.1 Study Team Conclusions

The study team performed a detailed review of all data available for each of the alleged intimidation events listed in Attachment 2. Their conclusions appear in Appendix B of the Study Team's Supplemental Report (Attachment 3). On the basis of several discussions with the study team regarding their findings, the Intimidation Panel came to an understanding of the other events and of the basis for the study team's conclusion. Although the Intimidiation Panel did not review the "other events" in detail, the panel members reviewed enough of the material related to these events to have a working knowledge of them. The Intimidation Panel fully endorses the findings of the study team.

3.2 Events/Documents Not Reviewed by the Study Team

3.2.1 Discussion

The Intimidation Panel reviewed three alleged or suspected incidents of intimidation that were not reviewed by the study team. These events were reviewed only by the intimidation panel because they were forwarded to the panel late in the review process, and after a preliminary review by the panel chairman he determined that the alleged or suspected events were not of significant concern to require a review by the study team. The incidents were subsequently reviewed by the panel, which concurred in this decision.

3.2.2 Intimidation Panel Conclusions

A description of each event and the findings of the Intimidation Panel are discussed below.

a. On January 15, 1985 the Comanche Peak Project Director forwarded to the Intimidation Panel a portion of the deposition of Mr. Mouser, a former CPSES QC inspector. (The material was forwarded to the panel at the suggestion of the Chairman of the ASLB.) In the deposition, Mr. Mouser stated that he had informed Mr. Tolson (TUEC QA Manager) as to how he and his fellow workers were going to review and verify individual DCAs (Design Change Authorizations) and CMCs (Component Modification Cards). Mr. Tolson became upset and told them, "No. That's not the way I want it done." Subsequent to this meeting Mr. Mouser and his supervisor went back to Mr. Tolson,

who agreed to allow them to do the review as they had originally proposed.

This incident does not constitute an act of intimidation, because Mr. Tolson's statement was not likely to have caused a reasonable individual to do something that was contrary to existing requirements. Further, Mr. Toldson later changed his position at the urging of his employees.

b. On January 28, 1985 the Comanche Peak Project Director forwarded to the intimidation panel a portion of Mr. Mouser's deposition in which he alleged that an NRC OI investigator had apparently disclosed confidential information to TUEC employees. Nothing in this alleged incident linked any CPSES employees to any improper actions, and thus this event does not constitute an act of intimidation.

c. OI Investigation Report 4-84-006, concerning alleged intimidation of QC personnel, included an interview of a former boilermaker foreman. Although the investigation concerned the alleged intimidation of QC personnel, the boilermaker foremean indicated that he had been subjected to systemmatic harassment, particularly following the identification of quality-related deficiencies to the Brown and Root (B&R) management in Houston.

The individual also identified technical concerns which were reviewed by the Technical Review Team (TRT), including concerns associated with the emergency diesel generator shields. The fuel transfer tube (transition piece), the steam generator head insulation supports, the fuel pool liners, cleanliness swipe testing, the component cooling water surge tank supports, and welding to rebar. The results of the TRT review of the technical concerns are documented in SSERs 8, 10 and 11. The individual also provided information regarding the main condenser installation, which is not safety-related, but can directly affect the quality of the secondary water being supplied to the main steam generators.

Subsequent to the individuals' visit in late summer of 1982 to the B&R corporate management in Houston, the boilermaker foreman identified that he was specifically given the "third degree" by management upon his return to the plant site from Houston. Further, the interview revealed that he was placed in "confinement" in the shop area in a "cage" and was told to "just make like I was doing something." The interview revealed that shortly afterwards, when he was faced with either being transferred to an area where he did not feel comfortable or being subjected to a reduction-in-force (RIF), the boilermaker foreman quit B&R. The individual quit B&R in September 1982, after working for B&R since 1970.

Based on the information available for review, the intimidation panel concluded that the facts presented in the OI investigation report, associated with the final months of employment of the boilermaker foreman certainly could have had a chilling effect on the identification of deficiencies in the work performed by fellow quality workers. This individual appeared to have been treated by management in a fashion which demonstrated that, in this instance, management was interested in cost, production, and scheduling of safety-related activities to the dretriment of quality.

3.3 TRT Findings In Those Areas Where Intimidation Occurred

On March 21, 1985 the Intimidation Panel met with members of the TRT to determine if they had found technical concerns in accessing those areas in which the panel found acts of intimidation. In the following list, identified acts of intimidation, as reported in Attachment 3 are correlated with the TRT's technical findings.

(1) D. Stiner - Weave Welding on Pipe Supports.

This area was examined by both Region IV and the TRT. Neither group could substantiate the technical allegations.

(2) D. Stiner - Circuit Breaker Article

There is no technical area associated with this intimidating event.

(3) W. Dunham - Intimidation of Coatings Inspectors

The TRT Coatings Group found that the inspection procedures in this area were inadequate and that the QC inspectors were not finding the pinholes in the coatings. They did find a higher-than-normal percentage of faulty coatings, but could not conclude that it could be attributed to the inspectors having been intimidated.

(4) W. Dunham - Termination

The higher-than-normal percentage of faulty coatings at CPSES may be linked to this intimidating event, but there is insufficient information to indicate that this was a major or contributing cause.

(5) S. Neumeyer - Liner Plate Traveller Incident.

The QA/QC Team of the TRT did find a concern in the documentation of this area (see AQ-55 and AQ-78 in SSER-11), but the Civil/Structural Group found no significant problem in liner plate welds (see AC ___ in SSER-8).

(6) C. Allen - ALARA and DCA Reviews

The TRT Coatings Group found approximately eight significant discrepancies. The generic implications of the allegation are being reviewed as part of TUEC's corrective action plan for TRT findings. (See AQO-36 of SSER-9)

(7) C. Allen - Detergent on Coated Surface

The TRT Coatings Group determined that the detergent on the coatings was not a detriment to the coatings.

(8) C. Allen - Cigarette Filter Incident

The TRT Coatings Group concluded that small amounts of water and oil in the paint would have had no impact on its adherence properties. Large quantities of water and oil would have been obvious to a trained QC inspector. (See AQO-17 in SSER-9)

(9) T-Shirt Incident

The T-Shirt incident was addressed by the QA/QC Group (see AQ-46 in SSER-11) and the Electrical Group (see Electrical Category No. 5 in SSER-7). Neither team could find any indication that the incident had a negative impact on their areas.

(10) S. Neumeyer - Stanford Incident

The TRT found no problem with the documentation of the welds in question in this allegation, but there was a question as to whether or not the non-destructive testing of the welds had been performed.

4. MANAGEMENT IMPLICATIONS

4.1 Climate of Intimidation

In Attachments 1 and 3, the study team concluded that there was no "climate of intimidation" at CPSES. Based on the definition of "climate of intimidation" used by the study team, the Intimidation Panel agrees with that conclusion.

The panel agrees with the study team that the small number of reported incidents of intimidation at a large site like CPSES suggests that intimidation was not pervasive. The Intimidation Panel is concerned, however, that the management style at CPSES (to be addressed in Section 4.2) establishes a work environment in which the right chemistry exists for actual or perceived intimidation to occur, given the right set of circumstances. Immediate attention is needed, and actions which would offset this condition are addressed in Section 5 of this report.

4.2 Management Style

In Attachments 1 and 3, the study team addressed the management style and interface problems (See Sections 3.3 and 3.4 respectively) as reported in depositions and in the surveys. The Intimidation Panel is also concerned about the apparent autocratic/bureaucratic, and on occasions arrogant, style in the behavior of CPSES management.

TRT personnel (Section 3.3) informed the panel that they observed a work environment characterized by employee fear of management at CPSES. Since CPSES is a non-union project, and there was no effective internal grievance system, each employee holds his or her position at the discretion of management.

In sum, it is the panel's view that the environment created by the management style at the CPSES facility does not necessarily lead to improper construction or quality control. The panel is aware that many projects have been built effectively with an unquestioning autocratic management style. However, it is the view of the panel that an important ingredient for an effective QA program to monitor the quality of construction is an environment where employees may freely raise safety-related concerns to an interested management. While it is clear that employees did raise concerns, some even making allegations of intimidation, there was a perception by employees, whether valid or not, that some management personnel did not want to hear concerns nor did they always provide adequate explanations to employees with these types of questions. This is not to say that every employee had valid concerns. TUEC hires, trains, and directs the activities of the employee, but if it is going to keep the employee in a responsible position, it must assure that the employee understands his or her job. It cannot keep the employee in a responsible position and not provide adequate explanations regarding his or her concerns. Failure to do so will have an impact on the attitude of the employees which can result in the employee not performing as expected. The panel cannot conclude, however, that the management style at CPSES contributed in any way to the quality assurance problems there. Poor procedures, inadequate training, and insufficient management direction could also have caused or contributed to the quality assurance problems.

5. ACTION RECOMMENDED

The concerns expressed by some TRT participants and the collective findings of the study team and the Intimidation Panel suggest a need for action by TUEC management. The panel recommends that TUEC take action to assure that the

management style of the TUEC organization is conducive to assuring a quality project. The panel does not recommend any one course of action such as the replacement of one or more managers, or a reorganization, or a change in procedures to develop an internal grievance procedure that is recommended for changing the attitudes and perceptions of the past. TUEC's management should take an objective look at the past incidents described in this SSER, as well as the current situation at the site, and take steps as necessary to assure a "quality first" attitude by its management and employees. The use of an independent consultant to conduct this evaluation may be appropriate and should be considered. The overall effort should be directed at establishing trust between the employees and management which will eliminate any fear of reprisals for anyone who identifies safety concerns or questions safety procedures.

In making these recommendations it is important to reiterate that the panel is not saying that there is a pervasive climate of fear or that TUEC's management style in fact directly contributed to the quality problems. But given the examples described in the record and the perceptions of some TRT members, the panel believes that a concerned management would take aggressive and dynamic action to avoid and erase any question of a potential problem of intimidation or harassment.

ATTACHMENT 2

List of Allegations of Intimidation Review by the Intimidation Panel and The Study Team.

A. Allegations Reviewed by the ASLB

1. Intimidation of QC Inspector in Auxiliary Building

Mr. Robert Messerley alleged that he observed Mike Robinson, a general forman for cable tray supports, yelling and shouting obscenities at a QC inspector for "red-tagging" too many cable tray supports.

2. Termination of Henry Stiner

Henry Stiner, a welder, alleged that he was terminated for reporting a gouge in a pipe to a QC inspector. Stiner allegedly discovered a gouge in a pipe near where he was welding on a pipe hanger. His foreman supposedly wanted to cover it up and witnessed Stiner showing the gouge to QC inspector Sue Ann Neumeyer. Shortly thereafter, Stiner was terminated. Applicants assert Stiner was terminated for absenteeism.

3. Weave Welding on a Pipe Support in the Auxiliary Building

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleged that she wrote an NCR identifying unacceptable weave welds on a pipe support in the Auxiliary Building. According to Mrs. Stiner, she was intimidated by craftworkers and by her supervisor, Harry Williams, into improperly accepting the welds on the NCR.

4. Welding of Diesel Generator Skids

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleged that she was harassed and intimidated by her supervisor, Harry Williams, when he assigned her to conduct inspections of welds on the diesel generator skids for CPSES, even after she protested that she was unqualified to conduct these inspections.

5. Voiding of NCR on Polar Crane

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleged that an NCR which she wrote regarding a hole in the polar crane rail was improperly voided and the hold tage improperly removed.

6. Incidents Intended to Have Mrs. Stiner Leave CPSES

Mrs. Darlene Stiner, a former welded and QC inspector at CPSES, related a series of incidents which she believes were intended to force her to leave her employment at the CPSES site. These related incidents are (1) meetings with Ronald Tolson and C. Thomas Brandt where Mrs. Stiner claims they pressed her about her health and her ability to continue work due to her pregnancy; (2) Mr. Brandt's request that she provide a doctor's note each week to certify her capability to work; and (3) an incident where she was refused admittance to a bus carrying workers to CPSES, which she blames upon articles in the Circuit Breaker (a company newsletter distributed at the site).

7. Harassment Due to Relocation of an Office

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, claims that she was harassed by Applicants after giving testimony in the July 1982 hearing session. The harassment consisted of moving her office four times over a two-day period, and of finally placing her in a shack that she claimed was not sturdy, dirty, not provided with airconditioning for three days, and was smaller than her original office.

8. Harassing Telegram Accusing Mrs. Stiner of Improperly Copying Documents

Mrs. Darlene Stiner, a former welder and QC inspector at CPSES, alleged that a letter sent by Applicant's counsel to Mrs. Juanita Ellis (President of CASE) and to the other parties accused her of stealing and lying, and threatened her termination if caught. In actuality, a telegram, not a letter, was sent to Mrs. Ellis, and the telegram did not accuse Mrs. Stiner of lying and stealing. Rather the telegram suggests that Mrs. Ellis was improperly encouraging Mrs. Stiner to copy and remove documents from on-site.

9. Weld Symbols on Doors

Mrs. Darlene Stiner, a former welder and QC inspectors at CPSES, contends that she was told by Thomas Brandt to improperly accept doors which had not been properly welded in accordance with the design drawings for the doors.

10. Intimidation of Welding QC Inspector in North Valve Room

Mr. Stanley Miles, a former iron worker at CPSES, alleged that he saw a QC inspector identify improper welding in the North Valve Room. According to Mr. Miles, the QC inspector left, saying he was going to stop it, but later returned and did not stop the improper welding.

11. Intimidation of Protective Coating QC Inspectors

Mr. William Dunham, a former protective coatings QC inspector at CPSES, alleged that he was aware of attempts by his supervisor, Mr. Harry Williams, to intimidate protective coatings QC inspectors.

12. William Dunham's Termination

Allegation that QC inspector William Dunham was terminated because of his complaints concerning QC. Dunham's termination paper states he was terminated for insubordination. Dunham filed a complaint with the Department of Labor claiming he was fired for criticizing the QC program, and one Harry Williams in particular.

13. Liner Plate Traveler Incident

Sue Ann Neumeyer alleged that she was intimidated into signing off on QC weld hold points on liner plate travelers. Neumeyer allegedly was ordered to sign off QC weld hold points for fitup and cleanliness on travelers for the stainless steel liner plates

of the Unit 2 reactor cavity. Her signature was to be verified by inspection chits purportedly done by other inspectors for these hold points a few years previously. Neumeyer did not agree that the chits matched the hold points she was to sign. She alleges she was compelled to sign under threat of losing the upcoming weekend off. Applicants assert that the procedure Neumeyer was to follow was proper and therefore she was not intimidated.

14. Cory Allen

Cory Allen testified as a Board witness on September 18-19, 1984. Mr. Allen was employed by Ebasco Construction Services, his administrative supervisor was C. Thomas Brandt; however, his field supervisor was Harry Williams and later Fred Dunham and Evert Mouser.

Mr. Allen recounted several incidents relating to harassment and intimidation. The first incident involved Mr. Allen's job interview with Mr. Brandt. According to Mr. Allen, as a result of his meeting with Mr. Brandt, he had a strong impression that notwithstanding his expertise, Mr. Brandt did not want him to question QC procedures or engineering judgments. The second incident involved a concern Mr. Allen had regarding ALARA review and reviews of design change authorizations (DCAs). According to Mr. Allen, he raised these questions to Cecil Manning, Training Quality Engineer, who was unable to answer his questions. Mr. Manning instead took

Mr. Allen to Ron Tolson's office to discuss the matter. At that meeting, according to Mr. Allen, Mr. Tolson indicated to Mr. Allen that he was not to concern himself with engineering matters but instead was to concentrate all of his efforts on performing inspections. Mr. Allen was later called to discuss the same matter with Mr. Brandt. As a result of these encounters, Mr. Allen testified that he was reluctant to write an NCR unless it was a "garden-variety" type NCR.

The third instance of harassment alleged by Mr. Allen involved members of the painting crew. According to Mr. Allen, he was ordered by Mr. Haley, a paint foreman, and other painters to perform inspections. Mr. Allen stated that if he did not accede readily to their demands, a complaint would be lodged with his supervisor, Harry Williams, who invariably sided with craft.

The fourth incident involved an NCR written by Mr. Allen reporting an indeterminate substance on a coated surface which he had inspected. Mr. Allen testified that after writing the NCR Harry Williams told him not to report for work the next day but instead report directly to Mr. Brandt on his next scheduled work day. During this meeting, Mr. Brandt questioned Mr. Allen's judgment and suggested that he was paranoid.

The final incident recounted by Mr. Allen involved the alleged use by painters of cigarette filters in the spray painting equipment. In Mr. Allen's view, painters inserted cigarette filters in the cheater valves of spray guns to pass the air acceptability inspection because the filters made the air supply appear cleaner than it was; the painters then would remove the filters after the test. Before Mr. Allen could report this alleged non-conforming condition, however, a complaint was lodged with Mr. Allen's supervisors. A meeting was held between Mr. Allen, Mr. Brandt, Jim Bracken, the paint foreman, and Mr. Williams. According to Mr. Allen, Mr. Brandt sided with the painters because Mr. Allen did not have personal knowledge that the filters were removed by painters subsequent to the air acceptability test and because the use of cigarette filters was not a violation of any procedural requirement. Consequently, Mr. Allen did not write an NCR.

15. I-Shirt Incident

Intervenor alleged that electrical QC inspectors wearing T-shirts were intimidated by management. Certain electrical QC inspectors were wearing T-shirts referring to "nitpickers." They were subsequently sequestered by management and their desks searched. (There is a question of their prior involvement with "destructive testing" prior to the incident.) Some of those

involved were later transferred or terminated. Applicants assert management might have overreacted, but the actions taken were not intimidating.

16. Valve Disk Incident

Linda Barnes alleged that when she brought a discrepancy in valve disk numbers to the attention of her supervisor, he told her it didn't matter, which made Barnes "discouraged." She was shown a traveller by Meddie Gregory with a valve disk number which did not match the disk number of the Data Report. When she brought this to the attention of her supervisor, Gregory Bennetzen, he told her it didn't matter and would cost too much money to check. Applicants assert that it really didn't matter and deny that cost would be a factor if the discrepancy were real.

17. Witness F

Witness F was a system test engineer ("STE") employed by Impell Corporation at CPSES from September 1982 through April 1982. Witness F was assigned to the Electrical Startup Group, which is part of the Startup Organization. Witness F described five incidents which he believed were examples of intimidation or threats against him. In brief, these are: (1) an allegation that Fred Powers told Witness F, "You're treading on thin ice," in response to Witness F's refusal to sign a startup work authorization ("SWA") because of his belief that there was an inconsistency between ES-100 and Regulatory Guide 1.75

("R.G. 1.75"); (2) that Dick Camp tried to discourage Witness F from calling the NRC on the ES-100/RG-1.75 conflict; (3) an allegation that Ivan Vogelsang threatened Witness F that he would get John Merritt to "pull his chain;" (4) that Ken Luken harassed Witness F in connection with a problem with ferro-resonant transfers; and (5) that Art London told Witness F that if he had enough time to find problems (such as the ferro-resonant transformer problem and the apparent conflict between ES-100 and R.G. 1.75) that he had time to do more work.

18. Stanford Incident

Alleged intimidation regarding voided NCR written by Sue Ann Neumeyer. Neumeyer wrote the NCR on a QC inspector (Stanford) who indicating he had falsified dates, thus enabling a draft to bypass QC hold points. The NCR was voided. Applicants assert that the dates were changed only to correct error.

19. Pressure on N-5 Viewers

Meddie Gregory alleged that undue pressure was applied to QA/QC document reviewers. She alleged that her supervisor, Gregory Bennetzen pressured/intimidated the N-5 document reviewers by: (1) demanding 40 iso's a week; (2) threatening the use of job shoppers; (3) commenting on company loyalty.

20. QES Review Sheet Incident

Meddie Gregory alleged that her supervisor ordered a reviewer to sign off a QES review sheet without doing the review. She alleged that Bennetzen ordered a reviewer, Darby, to sign off on a QES cover sheet when the original was missing without having Darby do the review. Applicants assert that this is an acceptable practice.

21. Reduction of Force (ROF) Incident

Meddie Gregory alleged that there is something wrong with the way employees are selected for a ROF. She alleged that the more qualified people were ROF'd. Applicants response is that there is a comprehensive, mainly objective method of selection.

22. QC Coatings Inspectors Terminated for Refusal to Inspect at High Elevations

Three QC Coatings Inspectors (Hamilton, Krolak, and Shelton) alleged that they were terminated on March 9, 1982 for refusing to inspect coatings from the elevated platform rail in the Unit 2 Reactor Building.

B. OI Inquiry Reports

Q4-82-005	Alleged Improper Weld Practices
Q4-82-0011	Alleged Improper Termination of a QC Inspector
Q4-82-025	Alleged Radiographic Irregularities
Q4-83-009	Alleged Inadequacies in As-Build QC Inspection Program
Q4-83-011	Alleged Poor Construction Practices
Q4-83-021	Alleged Intimidation of Electrical Craft Personnel
Q4-83-022	Alleged Improper Implementation of Technical Procedures
Q4-83-023	Alleged Poor Management Practices
Q4-83-025	Alleged QA Supervisor Discouraging the Use of Nonconformance Reports
Q4-83-026	Alleged Deficiencies in Coatings Program
Q4-84-001	Alleged Improper Construction Practices
Q4-84-007	Alleged Violations of Construction Practices
Q4-84-011	Alleged Intimidation of a BOP Inspector
Q4-84-014	Preserved Testimony of a Witness
Q4-84-016	Alleged Improper Construction Practices
Q4-84-037	Alleged Threat of "Blackballing" a Former QC Inspector
Q4-84-046	Suspected Harassment of a QC Inspector

C. OI Investigation Reports

4-82-012 Alleged Electrical Deficiencies

A former Electrical Department worker alleged four occasions of improper construction practices at CPSES in 1980.

4-83-001 Alleged Intimidation of QC Coatings Inspectors

A former QC Coatings Inspector alleged that the supervisor (Harry Williams) of the QC Coatings Inspectors had twice threatened the inspectors to stop nit-picking during their inspections or he would pull their certifications (See A-11 above).

4-83-005 Alleged Falsification of QC Records

A QC inspector alleged that a signature had been forged on an NCR that had been prepared by a former QC inspector and had been an issue before the ASLB.

4-83-011 Suspected Falsification of QC Records

A QC inspector alleged that records of some of his prior inspections had been altered or falsified.

4-83-013 Potential Intimidation of QC Inspectors by the Termination of C. Atchison

Investigation to determine if QC inspectors were intimidated by the termination of a former QC inspector (Charles Atchison).

4-83-016 Alleged Intimidation of QC Coatings Inspectors by the Termination of W. Dunham

Investigation to determine if QC Coatings Inspectors had been intimidated by the termination of another QC Coatings Inspector (William Dunham). (See A-12 above)

4-84-006 Alleged Intimidation of Twenty-Four (24) CPSES Employees

Juanita Ellis (President, CASE) gave two NRC representatives a list of 24 CPSES employees who she alleged had been intimidated.

4-84-008 Alleged Intimidation of QC Personnel

A QC inspector alleged that she was subjected to a series of eight meetings intended to intimidate her following her appearance before the ASLB.

4-84-012 Alleged Intimidation of Welding Crew

An iron-worker alleged that a superintendent of ironworkers regularly threatened and intimidated the ironworkers.