11/1/85

MEMORANDUM FOR: Vince Noonan, Chief, EQB, DE, NRR

FROM: James E. Gagliardo, Director, TTC, IE

SUBJECT: ADDITIONAL EFFORT AND INPUT NEEDED FROM THE I&H PANEL

The following additional effort is needed by the Intimidation Panel:

- o Complete the review of the two allegations referred to the Panel by the Board, and include the result of the review in the supplemental report. These allegations were made by Mr. Mouser earlier this year.
- o Complete the report (part of supplemental report) on the review of the Omsbudsman Program at Comanche Peak.
- o Complete the review of the reports of the special RIV task force and OI regarding their review of the SAFETEAM effort at Comanche Peak.
- o Complete the review of OI Investigation Reports 4-84-039 and 4-84-050, and report the results of the review in the supplemental report.
- o If the Hearing Board continues its review of the Lipinsky incident, the Panel should complete the review of this effort and report its evaluation in the supplemental report.

If you have any questions on this effort, I would be happy to discuss it.

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PDR FOIA
GARDE85-799 PDR

J. E. Gagliardo, Director
Technical Training Center
Office of Inspection & Enforcement

FOIA-85-799 B/28

OFFICE	IE/TTC						
SURNAME	Gagliardo						
DATE	11/1/85						

FOIA-85-799 B/29 4/2/85

(27)

Study Team Members

Attached is a draft of a filing that ELD proposes to issue to the Board on OI efforts at Comanche Peak. My review of the first cut of this draft identified five (5) reports that you have not seen. Ben Hayes of OI has agreed to let me send a copy to you for your consideration. I note that this version of the draft may have others in that category. You will be receiving the OI reports under a separate cover.

If you find that there are other report that you have not seen please let me know (directly or through Bruce).

Thanks for your efforts at the 3/22 meeting. I for one, thought it was a very good and very productive meeting.

A. Hagliard

(36)

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

APR 16 1985

MEMORANDUM FOR: Larry Shao, Engineering Group Leader
Jose Calvo, Electrical/Operations Group Leader
Comanche Peak Project

✓James Gagliardo, Chairman
Intimidation Panel
Comanche Peak Project

FROM: Vincent S. Noonan, Director
Comanche Peak Project

SUBJECT: RECORD REVIEW GROUP FINDINGS

Over the past few months a contractor team has been reviewing Comanche Peak hearing transcripts, depositions, and alleger meeting transcripts for the purpose of insuring that no allegations have been missed by the TRT review. Attached is a list of 27 items which the group has identified as allegations which were potentially not followed up by the TRT. I am fairly confident that these can be tied to existing allegations or summary dispositions.

Please review these items, interface with Luke Jones (37991, NL, or Delray Bldg.) and Chet Poslusny (27066) to determine if in fact, any action items have been missed. Please provide feedback to me by May 1.

Vincent S. Noonan, Director
Comanche Peak Project

cc: D. Eisenhut
R. Keimig
H. Livermore
C. McCracken
S. Phillips
C. Hale
C. Trammell
E. Jordan

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SUMMARY

ALLEGATIONS LACKING NUMBER IDENTIFICATION

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
1			Vol 7 (6-7-82) Pg 694 ln 3 to pg 784	CRACK FOUND IN THE BORON INJECTION TANK		✓								CORBETT
2		[redacted] A-45	Vol 7 (6-7-82) Pg 699 ln 4	ASME AUDIT TEAM REJECTED ASME N STAMP FOR BROWN AND ROOT	✓									CORBETT
			Vol 15 (7-29-82) pg 3289 ln 20 to 3290 ln 12											
			Vol 16 (7-30-82) pg 3459 ln 1 3469 ln 4											
			Vol 16 (7-30-82) pg 3417 ln 11 to 3417 ln 25											
3			Vol 12 (7-26-82) pg 2085 ln 14 to 2103 ln 3	MINIMUM WALL THICKNESS VIOLATIONS ON SOME PIPE - DCA'S AND NCR'S WRITTEN	✓									~~[illegible]~~ BOMMERBERG
4		[redacted] A-73	Vol 17 (9-13-82) pg 3679 ln 18 to 3680 ln 9	ANI WAS NOT INFORMED ON DECISIONS TO EXCLUDE LOCA AND THERMAL CONDITIONS IN ANALYSIS OF SUPPORTS	✓									JONES

SUMMARY
ALLEGATIONS LACKING
NUMBER IDENTIFICATION

SHEET 2 of 5

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
5		[redacted] A-73	Vol 17 (9-13-82) Pg 3854 ln 18 to 3856 ln 10	OVERDESIGN ON SUPPORTS - 912# OF HANGER STEEL TO SUPPORT A PIPE LOAD OF 26#		X								Done S
6		[redacted] A-73	Vol 17 (9-13-82) Pg 3996 ln 16 to 4008 ln 25	SLOPPY DRAFTING, DIMENSIONING ON HANGER DRAWINGS		X								Done S
7		[redacted] A-50	Vol 17 (9-13-82 p 4054 ln 25 to 4069 ln 7 Vol 17 Pg 4143 ln 7 to 4147 ln 5	CONFIDENTIALITY OF ALLEGORS VIOLATED BY NRC										Done S
8		[redacted] A-50	Vol 17 (9-13-82 Pg 4182 ln 5 to 4192 ln 24	INSPECTOR WAS REFUSED COPIES OF TRAINING RECORDS AND OPEN NCR'S (HARASSMENT)										Done
9		[redacted] A-51	Vol 17 (9-13-82) Pg 4207 ln 3 to 4207 ln 21 Pg 4210 ln 3 to 4210 ln 12 Vol 31A (10-21-83) Pg 9101 ln 5 to 9101 ln 13	NRC WAS NOT FINDING THE PROBLEM " " " INVESTIGATING ALL ALLEGATIONS NRC WAS NOT MONITORING CONSTRUCTION	X									

SUMMARY - ALLEGATIONS LACKING NUMBER IDENTIFICATION

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
10		[redacted] A-45	Vol 18 (9-14-82) Pg 4683 Q88 to 4683 A89	CABLE PULL LUBRICANT MAY BE A FIRE HAZARD IN THE DEHYDRATED CONDITION										JONES
11		B. BRINK	Vol 22 (5-16-83) Pg 6139 ln 22 to 6140 ln 10	REACTOR SUPPORT STRUCTURE, UNIT 2, WAS OFF BY 45°				✓						
12			Vol 31A (10-4-83) Pg 9098 ln 12 to 9099 ln 20	O&I DID NOT HANDLE DEPOSITION OF ROBERT MESSERLY PROPERLY, DID NOT FULLY ADDRESS ALLEGATIONS										HARRAON
13		[redacted] A-44	Vol 31B (10-4-83) Pg 9168 to 9170	CONFLICT OF INTEREST - NRC INSPECTOR WHO HAD PREVIOUSLY WORKED FOR TUGCO										
14		[redacted] A-50 51	Vol 36 (2-24-84) Pg 10,333 insert Pg 3 ln 2 to Pg 4 ln 25	WELDERS NOT TRAINED ADEQUATELY TECHNICALLY										HARRAON
15		[redacted] A-50	Vol 37 (3-19-84) Pg 10508 ln 11 to 10518 ln 19	PARAMETER CHECKS BY WELD TECHNICIANS INADEQUATE	✓		✓							Jones
16		CASE	Vol 38 (3-20-84) Pg 10903 to 10923	CASE IS NOT COMPARABLE WITH REGION IV INVESTIGATION										ROMBERG
17		CASE	Vol 42 (4-24-84) Pg 12281 ln 25 to 12282 ln 2	NRC INSPECTORS SPENT INSUFFICIENT TIME (AVG 15-20 MINUTES) ON EACH HANGER INS. ON	✓									ROMBERG

SUMMARY
ALLEGATIONS LACKING
NUMBER IDENTIFICATION

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QA QC	M	S	C	E	I	CTG	DATE RECD	CROSS REF TRACK. NO	STATUS
18			VOL 42 (4-24-84) Pg 13235 ln 13	HANGER INSTALLATION PROCEDURES WERE NOT INCLUDED IN THE CYGNA REVIEW										BOMMARITO RG
19		[redacted] A-50	DEPOSITION 7-13-84 Pg 52,248 ln 9 to 52,248 ln 15 2-14-85 Pg	HARASSMENT - COMPANY NEWS LATER "CIRCUIT BREAKER" RELATED THAT AN ALLEGER HAD TESTIFIED ABOUT DEFECTIVE WORK										BOMMARITO RG
20		[redacted] A-73	VOL 48 (5-3-84) Pg 13751 ln 11 to 13753 ln 24	CYGNA IS BIASED TOWARD APPLICANTS		✓								JONES
21			(7-26-84) Pg 13,850 ln 5 to 13,855 ln 9	ANI REPORT 10-032 - HIDDEN WELDS ON SUPPORT PLATE										CORBETT
22		[redacted] A-51	VOL 14 (7-28-82) Pg 2720 ln 21 to 2721 ln 22	INVESTIGATIVE REPORT OF NRC INSPECTORS DRISKILL & HERR CONTAINING NUMEROUS ERRORS										CORBETT
23		A-23	VOL 14 (7-28-82) Pg 2824 ln 5 to 2825 ln 7	A MAN WAS DRAGGED BODILY OUT OF THE GATE FOR DRUG USAGE										CORBETT
24		A 23	VOL 14 (7-28-82) Pg 2847 ln 17 to 2851 ln 5	CONTAINMENT LINER PLATE OUT OF PLUMB BY FOUR INCHES										CORBETT

SUMMARY
ALLEGATIONS LACKING
NUMBER IDENTIFICATION

	AQ NO.	A NO.	SOURCE	SUBJECT	DISCIPLINE QM QC	M	S	C	E	I	CTG	DATE REC'D	CROSS REF TRACK. NO	STATUS
25		A23	Vol 14 (7-28-82) Pg 2759 ln 20 to 2761 ln 6 Pg 2788 ln 14 to 2808 ln 24 Pg 2831 ln 9 2833 ln 14	COMANCHE PEAK UNSAFE - IMPROPERLY CONSTRUCTED (CARPENTRY, FORM WORK, STEELWORK,				✓						
~~18~~ 26			Vol 27 Pg 7814 ln 13 7818 ln 4	CABLE BEND RADIUS OUT OF TOLERANCE TOO TIGHT.					✓					
~~19~~ 27			Vol 27 Pg 7924 ln 3 to 7951 ln 15	MAINTENANCE OF 125 V STATION BATTERIES - NO "NO SMOKING" SIGNS IN BATTERY AREA					✓					

[illegible] APRIL 11, 1985

Enclosure (37)

Larry ~~Shao~~ Nicholson ~~Lane~~ June 3, 1985

TRT GROUP LEADERS

Section 3.3 of the Intimidation Panel's SSER (attached) gives the TRT 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

[signature]

6/3/85

Fr. Aho

make copies for

① S. Hon
② D. Jeng
③ Return to me

~~Hon~~ Jeng
Action. Give your input to me by June 5, 1985

FOIA-85-799
B/34

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. DI 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:

H

(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 AQC-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 AQD-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.

Cat. of AGW-72

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.