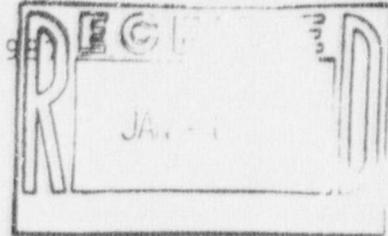




January 5, 1988



ARKANSAS POWER & LIGHT COMPANY
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Statement by Gene Campbell, Vice President of Nuclear Operations, Arkansas Power & Light Company

The United States Department of Labor Area Director at Little Rock has issued a letter notifying Arkansas Power & Light Company of findings and proposed remedial action in labor complaints filed by two former contract employees. They worked as quality control inspectors at Arkansas Nuclear One under a short-term contract to provide services during the recent refueling outages.

Following submittal of the complaints with the Department of Labor, the Area Director's office conducted an initial investigation. His determination was that a violation had occurred, but that no remedy was due one of the individuals and \$7,300 was due the other.

AP&L believes that the complaints are without merit. Accordingly, we sent a telegram to the Chief Administrative Law Judge of the Department of Labor at Washington requesting a formal hearing. The Area Director's determination has no effect in that hearing. An evidentiary hearing record will be developed upon which an Administrative Law Judge will base a decision. We expect a hearing within 90 days.

It should be pointed out that the Area Director's investigation only covered labor issues and not safety issues. Separate investigations by AP&L management have found that there were no unsafe conditions at ANO as alleged by these individuals.

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Federal inquiry concludes AP&L muzzled workers

BY PAUL BARTON
Democrat Staff Writer

A federal labor official has ruled that two Arkansas Power & Light Co. employees were pressured not to report safety problems they thought existed at the company's nuclear plant in Russellville.

A copy of a letter sent by J. Dean Speer, area director for the U.S. Department of Labor's office in Little Rock, to Jerry L. Maulden, president of AP&L, was released Monday by the Arkansas Alliance, a coalition of groups involved in energy and environmental issues.

The letter from Speer said that a "fact-finding investigation" found that Richard Couty and David Williams, former safety engineers at the Arkansas Nuclear One plant near Russellville, "were pressured not to write non-conformance reports."

Non-conformance reports are documents filed with the federal Nuclear Regulatory Commission by workers who feel they have spotted safety violations at a nuclear plant.

Orders action

Although Speer said both men were pressured not to write non-conformance reports, he ordered AP&L to act only on Couty's case. The labor official said Couty, of Mississippi, was entitled to \$7,300 in wages.

About Williams, of Fort Gaines, Ga., Speer said, "No remedy is deemed necessary."

In a statement released late Monday afternoon, Gene Campbell, director of AP&L's nuclear operations, said, "AP&L believes the complaints are without merit."

The utility has requested formal hearing on the matter

Couty told the Department of Labor that he was told by supervisors 'not to make waves.'

ruling would have no effect on the hearing, which is expected to be held within 90 days.

'No unsafe conditions'

The AP&L executive also said: "It should be pointed out that (Speer's) investigation only covered labor issues and not safety issues. Separate investigations by AP&L management have found that there were no unsafe conditions at ANO as alleged by these individuals."

Couty, who worked at the plant from July to October, had told the department that he was told by supervisors "not to make waves."

Williams had complained that he was pressured not to file reports about welding flaws, improper documentation of welding and inadequate quality control inspections.

Williams also said he was threatened and coerced and was forced to work in contaminated areas of the plant. He also said he was confined against his will on one occasion.

Calls for investigation

Little Rock activist Bob Bland, spokesman for the Arkansas Alliance, said in a statement released Monday that the findings about the dismissals of Williams and Couty raised "such grave questions about safety conditions at Arkansas Nuclear One that it is imperative we seek an emergency investigation by Congress into this matter."

The alliance has asked Rep.

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Agency says inspectors harassed

Back pay proposed for one alleging defects; AP&L asks formal hearing

By Michael Haddigan
GAZETTE STAFF

An initial investigation by the federal Labor Department has found that two former inspectors at Arkansas Power and Light Company's nuclear plant at Russellville were pressured to ignore safety violations and were subjected to reprisals when they insisted on reporting the violations.

The Department proposed that one of the men be paid \$7,300 in back wages. No remedy was proposed for the other inspector.

AP and L has asked for a formal hearing on the complaints before a federal administrative law judge, Gene Campbell, AP and L vice president of nuclear operations, said Monday.

Complaints filed last month

David A. Williams of Fort Gaines, Ga., and Richard Couty of Mississippi filed complaints December 8 with the Department at Little Rock against AP and L and S and W Technical Services of Zachery, La., alleging the companies violated the employe protection provision of the Energy Reorganization Act of 1974.

The provision of the law, known as the "whistle-blower bill," protects certain nuclear workers from firing or harassment for identifying safety concerns.

Both men were employed by S and W, a firm hired to provide supplemental quality control inspectors during reactor refueling outages.

In a letter to Jerry Maulden, the

AP and L president, J. Dean Speer of Little Rock, the Department's area director, said "the weight of the evidence to date" indicated Williams and Couty were "protected employes engaging in a protected activity" within the scope of the act.

Speer also said in the letter that "discrimination as defined and prohibited by the statute was a

Both men contended they were threatened with "blacklisting" from the nuclear industry.

factor in the actions" constituting the complaint. The letter proposed that Couty be paid \$7,300 in back wages as a remedy for the violation. No remedy was deemed necessary for the violation alleged by Williams, Speer's letter said.

Speer declined to comment on the case Monday.

Williams alleged supervisors pressured him not to file reports concerning welding flaws, "inadequate or nonexistent" quality control at a warehouse, improper documentation of welding, improperly trained welders and other deficiencies.

He said in his complaint that, because he attempted to report the deficiencies, he was forced to work in contaminated areas longer than other inspectors, that he was threatened and coerced by construction personnel and that he was on one occasion confined

against his will by a supervisor.

Williams also alleged that because of his reports he was "laid off" before his work at the nuclear plant was completed.

Couty said supervisors told him "not to make waves" and that he would be fired if he did not accept defective workmanship.

Couty's complaint said AP and L contended he was later fired because his mustache was too long to allow him to properly wear a face mask. But the complaint said Couty actually was fired because he insisted on reporting the safety problems.

Both men contended they were threatened with "blacklisting" from the nuclear industry. They are seeking back pay, damages for mental and emotional distress and other compensation.

'Without merit'

Campbell said in a statement Monday that AP and L believed the complaints were "without merit" and had asked for a formal hearing on the complaints.

He also said, "The area director's investigation only covered labor issues and not safety issues. Separate investigations by AP and L management have found that there were no unsafe conditions as alleged by these individuals."

Speer said in the letter that a hearing before a federal administrative law judge "allows the parties a new action, and it will not be affected by the investigation findings."

Campbell said AP and L expected a hearing within 90 days.

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ARKANSAS GAZETTE Saturday, December 13, 1986

2 allege coercion at nuclear plant, file Labor Department complaints

Ex-workers at Russellville contend they were threatened with blacklisting

By Michael Haddigan
GAZETTE STAFF

Two quality control inspectors who worked at Arkansas Power and Light Company's nuclear power plant at Russellville have filed complaints with the federal Labor Department alleging they were pressured not to report plant safety problems.

David A. Williams of Fort Gaines, Ga., and Richard Coty of Mississippi alleged they were threatened with blacklisting from the nuclear industry if they filed the complaints.

The complaints, filed with the Labor Department office at Little Rock December 8 against AP and L and S and W Technical Services, alleged the companies violated the employe protection provision of the Energy Reorganization Act of 1974.

The complaints said the inspectors voiced their concerns about violations of nuclear safety requirements through their supervisors, to corporate security officers and the Nuclear Regulatory Commission.

Gene Campbell, AP and L vice president of nuclear operations, said in a statement Friday that company officials had just received copies of the labor complaints and had not yet evaluated them.

He said both men had signed statements saying they had no safety concerns. Campbell said, however, that one of the men later told AP and L his statement was incorrect and he actually did have safety concerns. Campbell said AP and L conducted two investigations and found there was no plant safety problem.

Williams said in his complaint that he was pressured by his supervisors not to file reports concerning welding flaws, "inadequate or nonexistent" quality

control at a warehouse, improper documentation of welding, improperly trained welders and other deficiencies.

Because he attempted to report the deficiencies, the complaint said, Williams was:

★ Forced to work in contaminated areas of the plant "to an extent out of proportion with what was required of other inspectors."

★ Threatened and coerced by construction personnel.

★ Confined against his will on one occasion by a supervisor.

The complaint said Williams was "laid off," but after he left, other inspectors performed the jobs he had previously been assigned to perform.

Coty's complaint said he worked at the plant from July to October

Campbell said AP and L conducted two investigations and found there was no plant safety problem.

and was told by his supervisors "not to make waves" and he would be fired if he did not accept defective workmanship. The complaint said Coty was fired by AP and L because the company said his moustache was too long to allow him to properly wear a face mask. But, the complaint said, Coty was actually fired because he insisted on reporting safety problems.

Billie Pirner Garde of the Environmental Whistleblower Protection Project of Appleton, Wis., who is representing the men, said both are in their mid-40s and "veteran" nuclear workers with "long and credible records in the nuclear industry."

Garde said both men are now working at other nuclear plants,

but she declined to disclose the locations.

She said the Energy Reorganization Act of 1974, which was a reform of the Atomic Energy Act, governs the design, construction and operation of nuclear power plants. Garde said the employe protection provision of the Act, known as the "whistleblower bill," says nuclear workers cannot be terminated or harrassed for identifying safety concerns.

She said the Labor Department will likely begin an investigation into the complaints next week.

She said the Wisconsin organization is a public interest law firm representing nuclear and environmental "whistleblowers." She said the firm takes no position on the issue of nuclear power, but seeks to ensure nuclear workers can report concerns about safety.

Jerol Garrison, an AP and L spokesman, said S and W was a Zachery, La., firm contracted to provide AP and L with supplemental quality control inspectors during reactor refueling outages.

The Arkansas Alliance, an environmental group that obtained copies of the complaints, Friday called for an investigation of conditions at the plant. Bob Bland of Little Rock, a spokesman for the group, said copies of the complaints were delivered Friday to members of the state Congressional delegation, Governor Bill Clinton and the state Health Department. Bland said the group would also ask for NRC hearings on the complaints.

Williams and Coty are seeking back pay, damages for mental and emotional distress, reimbursement of expenses incurred in seeking new employment and other compensation to be paid if they are blacklisted. Coty is also seeking an apology from AP and L and from Bechtel Corporation, an AP and L contractor.

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Group urges investigation at Nuclear One

BY PAUL BARTON
Democrat Staff Writer

An environmental and labor organization on Friday called for an "urgent and immediate" federal-state investigation of the safety conditions at the nuclear power plant operated by Arkansas Power & Light Co. near Russellville.

The Arkansas Alliance, a coalition of environment, labor and peace groups, said at least 12 quality control inspectors at Arkansas Nuclear One have been fired in the past 90 days for filing reports with the Nuclear Regulatory Commission that alleged exposure of workers to dangerous levels of radiation, improper welding, poor engineering practices and improperly trained people performing high-risk work.

The alliance said conditions at the plant should be investigated by the NRC, Congress, Gov. Bill Clinton and the Arkansas Department of Health.

AP&L, in a statement issued late Friday afternoon, said a management committee has recently reviewed operations at the plant "and concluded there were no unsafe conditions at ANO."

Clinton will not comment on a possible investigation until he gets a chance to review a recent NRC report about the supervision of nuclear plants in this part of the country, said Susan Whitacre, the governor's assistant press secretary.

Also Friday, the Arkansas Alliance released copies of complaints filed at the U.S. Department of Labor by David Williams and Richard Coty, former safety engineers at the plant.

The complaints are against AP&L and S&W Technical Services of Zachary, La.

Williams said in his complaint that he was forced to work in contaminated parts of the plant more than other safety engineers because he insisted on identifying viola-

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Safety complaints filed against AP&L

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Two former employees of Arkansas Nuclear One at Russellville allege in complaints filed with the U.S. Labor Department in Little Rock that they were pressured not to report safety problems.

Arkansas Power & Light Co., which operates the plant, hasn't had time to review the complaints, Gene Campbell, AP&L vice president of nuclear operations, said Friday.

David A. Williams of Fort Gaines, Ga., and Richard Coty of Mississippi alleged in the complaints filed Monday at the Labor Department office in Little Rock that AP&L and S&W Technical Services violated the employee protection provision of the Energy Reorganization Act of 1974.

The employee protection provision, known as the "whistleblower bill," says nuclear workers can't be fired or harassed for identifying safety concerns.

Jerol Garrison, an AP&L spokesman, said S&W was a Zachery, La., firm contracted to provide AP&L with supplemental quality control inspectors during reactor refueling outages.

The complaints said Williams and Coty, quality control inspectors, voiced their concerns about nuclear safety requirements, through their supervisors, to corporate security officers and the Nuclear Regulatory Commission.

Campbell said both men had signed statements saying they had no safety concerns. But, he said, one of the men

told AP&L his statement was incorrect and that he had safety concerns. Campbell said AP&L investigated twice and found no safety problems.

Williams said in his complaint that his supervisors pressured him not to file reports about, among other things, welding flaws, "inadequate or non-existent" quality control at a warehouse, improper documentation of welding and improperly trained welders.

Williams said that because he tried to file the reports, he was forced to work in contaminated areas of the plant more often than other inspectors, was threatened by construction workers and convinced against his will on one occasion by a supervisor.

The complaint said Williams was laid off, but that other inspectors performed his duties after he left.

Coty said his supervisors told him "not to make waves" and that he would be fired if he rejected defective workmanship. The complaint said Coty was fired because AP&L said his moustache was too long to allow him to wear a face mask properly. The complaint alleged he was fired because he insisted on reporting safety problems.

Billie Firner Garde of the Environmental Whistleblower Protection Project of Appleton, Wis., is representing both men. She said the Labor Department is likely to begin an investigation within a week.

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