

The following is a statement taken in the office of D. M. Stover, Project Superintendent-Contracts on April 13, 1982, by Lawrence R. Bersteler who resides at 604 Delancy Place, Claymont, DE 19703 (302) 798-6217.\*

I was hired October 1, 1981, by W-H Constructors (Hirsch-Arkin-Pinehearst) and have been on site at the Hope Creek Jobsite the entire time. Formerly, I was employed by Sun Ship at Chester, PA where ~~W-H Constructors (Hirsch-Arkin-Pinehearst)~~ 4.13.82 I am familiar with ASME and Pipe Welding Codes.

Upon being hired by W-H I was informed that I was to be independent from the construction side of the business and non-biased. In the first month I processed 20 Awns and 8 NCRs. Subsequently, I was told that I was now part of the team -- that I was to help with the construction side.

Today, April 13, 1982, there was a question about the test on air supply system, in Control Room 137. There have been two tests done as of two weeks ago. As far as I am concerned the tests are invalid because the IRs (Inspection Report) had not been updated. There were open NCRs, Awns, etc.

I explained that I had only received the FCRs last Wednesday, April 7, 1982, and that there was a lot of work involved in bringing everything up to date, involving the supply system final signoff. The Inspection Report cannot be signed off until all incomplete documentation has been approved. Without proper documentation the test is invalid.

W-H QC got into a heated argument with W-H management who claimed that the IRs had to be done "no matter what." I felt we were "under the gun" by pressure from management to do whatever it took to sign off the IRs. We were told by M. J. Timmons, Project Manager for the 10855-M-735(Q) contract that "we had to bend the rules" if necessary. (This conversation took place approximately two weeks ago.) I have a copy of the actual test report (second test which took place two weeks ago) at my home. This test indicates that all ductwork on the supply system at El. 137 Control Room No. 1 was to be signed off but could not, in fact, be signed off because incomplete documentation and hangers that were not installed which had to be installed prior to signoff. The leak test was based on the entire system and the reported .3% leakage criteria is not true.

Normally, QC finds problem, writes it up, management concurs and QA managements concurs and it is left at that point. By management, I mean QC/QA management first and then Construction Management reviews it.

As a result of my conversation this morning with A. J. Bryan and D. Reel of Bechtel QC, A. J. Bryan instructed D. Reel to go out and verify whether or not there were any problems. D. Reel concurred that there were some problems. I then went back to shop to do paperwork and a question arose as to who interprets the spec. I was told that Mike Wita, QA Manager (site) would do all the interpreting. I received this word from Steve Hershman, Corporate QA Manager (Philadelphia).

\*-Present at this meeting were: L. R. Bersteler (W-H QC), E. H. Cochrane, J. L. Cohde, A. J. Bryan, G. Moulton, D. Reel and C. G. Brinson

I telephoned S. Hershman to verify that Mike Wita was to do all interpretation because I feel that as QC Inspector, I should be doing the interpreting. At this point Robert Garvey, Site Construction Manager, got into it and started yelling. Mr. Garvey's official title is Assistant Vice President, Nuclear Power. He is the number one man on-site and he fired me.

There was a meeting March 25, 1982, in the Philadelphia offices of W-H concerning material handling from home office to field site in reference to structural codes D.1.3 and D.1.1 and spec 10855-M-735(Q). At this time I was given a letter telling me not to abide by the spec. I have a copy of this letter in my personal file which states: "We are not bidding by the tech spec. due to a contradiction between paragraph 1.8.1 and 1.8.3 specifically in reference to porosity."

Prior to the March 25, 1982, meeting W-H Constructors was informed by D. Reel of Bechtel QC that "You have tech specs, you have codes -- live by them. We are asking for no more than the specification requirements, and we will accept no less."

Bechtel QC inquired whether W-H's program required that an IR could not be signed off until all reference documents had been approved including SDDR's, etc. I concur that we (W-H QC) were being asked to sign off prior to approval of these reference criteria documents.

Bechtel asked if W-H QC was aware of materials being received without verification (material identification -- green tag). Yes, I am aware of such materials coming from Philadelphia shop to the field site. The materials were delivered to the laydown area and subsequently installed. Since that time the required repairs have been made.

At today's session in the shop, R. Garvey said to M. Wita "Write Larry's check out right now. You're fired." Mike Wita stated "That sounds good to me, Bob."

Bechtel inquired whether there was any discussion involving other than work related topics which might have led to my firing. There was no discussion involving money, absenteeism, qualifications or any other non-work related topics. I have not received my check as at this point I was called out to the field to do an inspection. When I left, R. Garvey was on the telephone to S. Hershman. I had called S. Hershman to verify my firing and he stated he was not sure R. Garvey could fire me.

Bechtel asked if W-H QC had been told not to talk to Bechtel QC. Yes, I was told not to talk to Bechtel QC and further was told not to talk to the NRC or the client. At the time of this conversation, along with myself, Bill McLaughlin, QC, and R. Garvey and M. Wita were also present. This conversation took place yesterday, April 12, 1982.

Bechtel asked why I thought I was being terminated. I feel I was fired for "simply doing my job, no other reason." They might have felt there was a personality problem, but I was doing my job 100 percent.

R. Garvey at the time of being fired merely said "I've had with you. You've caused too many problems." The problems being inspection types, too much paperwork, etc.

W-H Construction indicated that as soon as the tests were complete, we were to insulate. I explained that this was not possible. You cannot insulate when there are open SDDRs, NCRs, etc.

I informed management (R. Garvey) that there was a problem with the painting before the IRs could be signed off. R. Garvey informed me that the painting did not have to be done. As far as he was concerned, the test on the supply was a final signoff and release to Bechtel. As far as my understanding goes, the system is not complete until the painting and documentation have been approved by W-H QC and Bechtel.

Bechtel inquired what my immediate plans are. I plan to go back to the office and get in touch with S. Hershman to determine what my status is. If he concurs that I am indeed fired, I plan to go to B. Bateman, NRC Representative on-site, and report my findings.

Bechtel recommended that after talking to S. Hershman, I get back to Bechtel and advise them of the outcome of that conversation. Bechtel will then get back to me and advise me what their intended course of action will be. Bechtel further advised me that I await making any decisions to go elsewhere until I hear from them.

Bechtel then inquired what I thought the weakest point in their QC program was. I believe it is S. Hershman, their QC Manager (Philadelphia), and management (construction). It is my personal feeling that the relationship of father/son of F. Hershman and S. Hershman creates a conflict of interest with respect to W-H Constructor's QC Program.

  
Lawrence R. Bersteler/date

LEAK TEST REPORT FORM  
FOR NON-GAS-TIGHT DUCTWORK  
(ETBF-5)

SYSTEM # 403 S P & ID # 16K-475-5NM

DUCT SECTIONS ALL DUCTWORK ON DWG P-9255-1, SAT. 1, REV. 5  
(EXCLUDING RISER FROM 145'6" TO 138'0" IN JALUZYR CLOSET-5514)  
ALL DUCTWORK ON DWG P-9265-1, SAT. 1, REV. 7.

ALLOWABLE LEAKAGE =  $\frac{VS}{VT} \times \frac{r\%}{100} \times \text{CFM} = \underline{18}$  CFM NOTE: (12) SPOOL PIECES

WHERE; VS = VOLUME OF TEST SECTION  
VT = TOTAL VOLUME OF SYSTEM  
r = PERCENTAGE LEAKAGE RATE = 1.9%  
CFM = AIR HANDLING CAPACITY OF SYSTEM

WERE INSTALLED IN SYSTEM  
IN LIEU OF (12) MISSING  
VOLUME DAMPERS

VOLUME OF TOTAL SYSTEM VT = 1518.6 FT<sup>3</sup>VOLUME TO TEST SECTION VS = 1475.4 FT<sup>3</sup>DUCT PRIMARY PRESSURE RATING 5 TEST PRESSURE REQUIRED +6" WG.

## 1. 24 HOUR NOTICE GIVEN

BY J. MERLINO (WH) TO D. SLEIGNER (BECHTEL)

## 2. SECTION CHECKED FOR SENSIBLE AND AUDIBLE LEAKS

ACTUAL TEST PRESSURE +6"PERFORMED BY LOU TURNER DATE 2-25-82

ACCEPTED BY \_\_\_\_\_

## 3. QUANTITATIVE LEAK TEST

ACTUAL TEST PRESSURE +6" WG.ACTUAL LEAKAGE 18.1 CFMPERFORMED BY LOU TURNER DATE 2-25-82

ACCEPTED BY \_\_\_\_\_



LEAK TEST REPORT FORM  
FOR NON GAS-TIGHT DUCTWORK

(ETBF-5)

SYSTEM # 403 S P & ID # 1 GK-475-SNMDUCT SECTIONS ALL DUCTWORK ON DWG P-9255-1, SHT. 1, REV. 5 (EXCLUDING  
RISE FROM 145'6" TO 138'0" IN JANITOR CLOSET RUSSIA)  
ALL DUCTWORK ON DWG P-9265-1, SHT. 1, REV. 7ALLOWABLE LEAKAGE =  $\frac{VS}{VT} \times \frac{r\%}{100} \times CFM =$  18 CFMNOTE: A SPOOL PIECE  
WAS INSTALLED IN SYSTEM  
IN LIEU OF MISSING  
20 X 10 VD (1GKD-392)WHERE: VS = VOLUME OF TEST SECTION  
VT = TOTAL VOLUME OF SYSTEM  
r = PERCENTAGE LEAKAGE RATE = .17%  
CFM = AIR HANDLING CAPACITY OF SYSTEM = 18500 CFMVOLUME OF TOTAL SYSTEM VT = 1518.6 FT<sup>3</sup>VOLUME TO TEST SECTION VS = 1475.4 FT<sup>3</sup>DUCT PRIMARY PRESSURE RATING 5 TEST PRESSURE REQUIRED +6" WG.

1. 24 HOUR NOTICE GIVEN

BY ROBERT GARVEY (W.H.) TO D. SCRIBNER (BECHTEL)

2. SECTION CHECKED FOR SENSIBLE AND AUDIBLE LEAKS

ACTUAL TEST PRESSURE +6" WG.PERFORMED BY LOU TURNER, B. DUFFY DATE 3/23/82

ACCEPTED BY \_\_\_\_\_

3. QUANTITATIVE LEAK TEST

ACTUAL TEST PRESSURE +6" WG.ACTUAL LEAKAGE 48 CFM. (.3%)PERFORMED BY LOU TURNER, BOB DUFFY DATE 3/23/82

ACCEPTED BY \_\_\_\_\_

Test Test Conducted

2-25-82

SA SYSTEM 403 S P&ID# 16K-475-SHM

H. Dwy SM-255 Rev. 4.

Pe# 'S - 1A thru 4A, 5 thru 9, 11 thru 15,  
17 thru 20, 22, 103, 23, 24, 102, 52, 53, 54,  
93, 94.

H. Dwy SM-258 Rev. 4.

Pe# 55

H. Dwy SM-265, SHT 2, Rev. 4.

Pe# 'S - 10 thru 16, 54 thru 60

H. Dwy SM-256, Sht 1, (i.k.w.).

Pe# 'S - 1 thru 8, 167, 9, 52, 53, 17, 18A,  
21 thru 28, 29 thru 32, 32A, 33, 34, 39 thru 42,  
42A, 43, 44, 46, 48.

Dwy SM-259 Rev. -

Pe# 'S - 19, 20

Note: 128-lb. test system in lieu of missing  
Volume Pumping

Test Test Conducted

3/23/82

Same as above except

Note: 1 spool piece installed in system in lieu of  
missing V.B. 20x104D (16KD-392)