

CLA

CASE

(CITIZENS ASSN. FOR SOUND ENERGY)

July 4, 1984

1426 S. Polk
Dallas, Texas 75224

214/946-9446

RELATED CORRESPONDENCE

DOCKETED
JUL 11 1984

Mr. William A. Horin, Esq.
Bishop, Liberman, Cook, Purcell & Reynolds
1200 - 17th St., N. W.
Washington, D. C. 20036

Dear Bill:

Subject: In the Matter of
Texas Utilities Electric Company, et al.
Comanche Peak Steam Electric Station
Units 1 and 2
Docket Nos. 50-445-1 and 50-445-2
50-446-1 and 50-446-2

Informal Discovery Regarding
Drug-Related Terminations and Related
Developments at CPSES

As discussed last week with you and Judge Bloch, we are filing the attached interrogatories and requests for documents on an informal basis.

Although we are filing this informally, we have attempted to make our questions as focussed and detailed as possible to let you know exactly what information we are after. It should also be noted that the fact that we are at this time filing this informally in no way decreases the importance which we place on this matter. We believe this is very serious, with implications for virtually all aspects of CASE's Contention 5 on QA/QC, including possibly intimidation.

If there is any information requested which you believe to be of a proprietary nature or which should for some other reason be subject of a protective order, please contact me so that we can attempt to work out informally an agreement in this regard to avoid unnecessary invasion of privacy, while at the same time providing us with the information we need insofar as the safety of the plant is concerned.

We hope that it will not be necessary to pursue this further with the Licensing Board, and will appreciate your assistance by a prompt response.

Thanks.

Sincerely,

CASE (Citizens Association for Sound
Energy)

Juanita Ellis
(Mrs.) Juanita Ellis, President

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PDR ADOCK 05000445
A PDR

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING
DRUG-RELATED TERMINATIONS AND RELATED DEVELOPMENTS AT CPSES

Please refer to the attached articles from the FORT WORTH STAR-TELEGRAM. Basically, we want to know everything about the drug-related terminations and related developments at CPSES, including but not limited to:

1. When was the investigation into drug use at CPSES initiated by Applicants?
2. Who specifically (name, title, organization, authority) instigated the investigation?
3. Why was the investigation into drug use at CPSES initiated?
4. What was the specific event which triggered the investigation? Give complete details.
5. What is the status of the investigation at this time?
6. If the investigation is not complete, when is it expected to be completed?
7. What has been done with the drugs confiscated by Applicants?
8. What law enforcement agency (or agencies) have been notified by Applicants regarding this matter?
9. What, if any, law enforcement agency (or agencies) have been involved in the investigation?
10. Has the investigation by law enforcement agency (or agencies) been completed?
11. If the investigation by law enforcement agency (or agencies) has not been completed, when is it expected to be completed?
12. Supply the name(s) of the individual(s) with law enforcement agency (or agencies) who have been involved in the investigation and information as to how and where such individual(s) can be contacted.
13. How many (total) employees have been investigated to date by Applicants?

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

14. How many employees have Applicants (or others) investigated to date who work or worked for:
- (a) Brown & Root;
 - (b) Gibbs & Hill;
 - (c) Ebasco;
 - (d) TUSI;
 - (e) TUGCO;
 - (f) other Texas Utilities organizations;
 - (g) other contractors and sub-contractors (broken down by name of company or organizations).
15. How many employees have Applicants (or others) investigated to date who are with the following organizations:
- (a) Plant Operations;
 - (b) Quality Assurance (onsite);
 - (c) Quality Assurance (Dallas);
 - (d) Quality Control Supervision or Management -- Non-ASME;
 - (e) Quality Control Supervision or Management -- ASME;
 - (f) Quality Control Inspectors -- Non-ASME;
 - (g) Quality Control Inspectors -- ASME;
 - (h) Engineering;
 - (i) Engineering Supervision or Management;
 - (j) Construction;
 - (k) Construction Supervision or Management;
 - (l) Building Management;
 - (m) Project Control/Procurement;
 - (n) Project Control/Procurement Supervision or Management;
 - (o) Project Management Control;
 - (p) Project Management Control Supervision or Management;
 - (q) Document Control Center;
 - (r) Document Control (Satellites);
 - (s) Document Control (other);
 - (t) Personnel or Employment personnel;
 - (u) Personnel or Employment Supervision or Management;
 - (v) Security personnel;
 - (w) Security Supervision or Management;
 - (x) Vendor personnel;
 - (y) Vendor Supervision or Management.
16. Have members of middle and upper management been investigated (as well as, for instance, crafts and QC personnel)?
17. What specific criteria were used to determine which specific individuals were to be investigated or interviewed?

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

18. Have all of the employees who were/are under suspicion or who have been accused by others of taking or selling drugs been interviewed personally?
19. If the answer to 18. is no, what specific criteria were used to determine which employees were or will be interviewed personally?
20. Have all of the employees who were/are under suspicion or who have been accused by others of taking or selling drugs been asked to take lie detector tests?
21. Have any supervisory employees been asked to take lie detector tests?
22. Have any upper management employees been asked to take lie detector tests?
23. If the answer to 20, 21, and/or 22 is no, what specific criteria were used to determine which employees would or will be asked to take lie detector tests?
24. Who administered the lie detector tests which were given (supply specific name(s), title(s), organization(s), address, as well as each such person's background and training for administering such tests)?
25. What form has this investigation taken (personal interviews by Applicants or their agents, personal interviews by law enforcement officials, written questions, lie detector tests, discussions with other employees, etc.)? Give specific details, including what specific actions Applicants have taken to confirm whether or not specific individuals have been involved in drug-related activities.
26. What specific drugs have been found onsite?
27. If different from above, what specific drugs have been identified by employees (or others) as having been used onsite?
28. (a) Have Applicants' or others' investigations indicated or confirmed (specify which) that employees have used or have been using drugs onsite?

(b) If the answer to (a) is yes, how many employees have been indicated or confirmed to have used drugs onsite? Supply the total number, and answer for each organization listed in 14. preceding.

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

28. (continued):

- (c) If the answer to (a) is yes, how many employees have been indicated or confirmed to have used drugs onsite? Answer for each organization listed in 15. preceding.
- (d) If the answer to (a) is yes, provide the following information for each such employee (or former employee):
 - (i) his/her name;
 - (ii) address;
 - (iii) telephone number;
 - (iv) job title, organization, and a brief description of such person's duties at the time of such sale(s);
 - (v) job title, organization, and a brief description of such person's duties at the present time;
 - (vi) what action has been taken or will be taken by Applicants or their agents regarding each such present or former employee;
 - (vii) to your knowledge, has such individual been picked up by law enforcement officials, indicted, and/or convicted for drug use? Specify which and give details.

29. (a) Have Applicants' or others' investigations indicated or confirmed (specify which) that drugs have been sold onsite by employees of Applicants or their agents (including contractors, sub-contractors, vendors, etc.)?
- (b) If the answer to (a) is yes, how many employees have been indicated or confirmed to have sold drugs onsite? Give the total number and answer for each organization listed in 14. preceding.
 - (c) If the answer to (a) is yes, how many employees have been indicated or confirmed to have sold drugs onsite? Answer for each organization listed in 15. preceding.

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

29. (continued):

(d) If the answer to (a) is yes, provide the following information for each such employee (or former employee):

(i) his/her name;

(ii) address;

(iii) telephone number;

(iv) job title, organization, and a brief description of such person's duties at the time of such sale(s);

(v) job title, organization, and a brief description of such person's duties at the present time;

(vi) what action has been taken or will be taken by Applicants or their agents regarding each such present or former employee;

(vii) to your knowledge, has such individual been picked up by law enforcement officials, indicted, and/or convicted for drug use or sale? Specify which and give details.

30. Have Applicants' or others' investigations indicated or confirmed (specify which) that drugs are still being sold onsite?

31. What specific drugs have been identified by employees or others as having been sold onsite?

32. (a) Have Applicants' or others' investigations indicated or confirmed (specify which) that anyone other than employees (of Applicants or their agents) have sold drugs onsite?

(b) If the answer to (a) is yes, supply complete details.

33. Have Applicants made any specific efforts to ascertain whether or not supervisory, or middle or upper management have been involved in:

(a) taking drugs at CPSES; or

(b) selling drugs at CPSES?

34. If the answer to 33. is yes, supply specific details of what efforts Applicants have made.

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

35. If the answer to 33. is yes, what have been the results of such efforts? Give specific details.
36. (a) What specific criteria have Applicants used to make the determination as to whether or not an employee has:
- (i) taken drugs?
 - (ii) ever been picked up for possession of drugs?
 - (iii) a conviction record for possession of drugs?
 - (iv) taken drugs onsite?
 - (v) taken drugs offsite which may have had an effect on such employee's work?
 - (vi) sold drugs?
 - (vii) ever been picked up for selling drugs?
 - (viii) a conviction record for selling drugs?
 - (ix) sold drugs onsite?
 - (x) sold drugs offsite which may have had an effect on the work of other employees at CPSES?
- (b) With further reference to 25. preceding, was the same criteria (to confirm whether or not specific individuals have been involved in drug-related activities) used for all individuals investigated?
- (c) If the answer to (b) preceding is no, explain in detail how the criteria differed for different individuals, and explain the reason(s) such criteria differed.
- (d) What was the specific criteria used to make a determination that an employee had indeed:
- (i) taken drugs?
 - (ii) ever been picked up for possession of drugs?
 - (iii) a conviction record for possession of drugs?
 - (iv) taken drugs onsite?

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

36. (d) (continued):

- (v) taken drugs offsite which may have had an effect on such employee's work?
- (vi) sold drugs?
- (vii) ever been picked up for selling drugs?
- (viii) a conviction record for selling drugs?
- (ix) sold drugs onsite?
- (x) sold drugs offsite which may have had an effect on the work of other employees at CPSES?

37. (a) Have Applicants made any effort to determine whether or not anyone in a supervisory position or in middle or upper management has ever attempted to force or coerce other employees to take drugs?

(b) If the answer to (a) is no, why haven't they?

(c) If the answer to (a) is no, do they have any plans to do so?

(d) If the answer to (a) is yes, what have been the results of such efforts? Provide specific details.

38. Was each employee terminated if it was determined that he/she:

(a) had ever taken drugs?

(b) had ever been picked up for possession of drugs?

(c) had a conviction record for possession of drugs?

(d) had ever taken drugs onsite?

(e) had ever taken drugs offsite which may have had an effect on such employee's work?

(f) had ever sold drugs?

(g) had ever been picked up for selling drugs?

(h) had a conviction record for selling drugs?

(i) had ever sold drugs onsite?

(j) had ever sold drugs offsite which may have had an effect on the work of other employees at CPSES?

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

39. (a) Did any employee(s) refuse to take a lie detector test?
- (b) Were any employees terminated for refusing to take a lie detector test?
- (c) Was each employee who refused to take a lie detector test terminated?
- (d) If the answer to (c) is no, what specific criteria did Applicants use to determine which employees were terminated and which ones were not?
- (e) If the answer to (c) is no, provide the name, and last known address and telephone number of each employee who was terminated for refusing to take a lie detector test.
- (f) Were any employees terminated based on suspicion of having taken or sold drugs without such employee's admitting such use or sale?
- (g) Were any employees terminated based on suspicion of having taken or sold drugs without other (than such employee's admission) supporting evidence (i.e., evidence which would be admissible in court)?
- (h) If the answer to (f) or (g) is yes, provide the name, and last known address and telephone number of each employee who was terminated under those circumstances.
40. How many employees have been terminated to date who work or worked for:
- (a) Brown & Root;
- (b) Gibbs & Hill;
- (c) Ebasco;
- (d) TUSI;
- (e) TUGCO;
- (f) other Texas Utilities organizations;
- (g) other contractors and sub-contractors (broken down by name of company or organizations).
41. How many employees have been terminated to date who were with the following organizations:
- (a) Plant Operations;
- (b) Quality Assurance (onsite);
- (c) Quality Assurance (Dallas);
- (d) Quality Control Supervision or Management -- Non-ASME;

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

41. (continued):

- (e) Quality Control Supervision or Management -- ASME;
- (f) Quality Control Inspectors -- Non-ASME;
- (g) Quality Control Inspectors -- ASME;
- (h) Engineering;
- (i) Engineering Supervision or Management;
- (j) Construction;
- (k) Construction Supervision or Management;
- (l) Building Management;
- (m) Project Control/Procurement;
- (n) Project Control/Procurement Supervision or Management;
- (o) Project Management Control;
- (p) Project Management Control Supervision or Management;
- (q) Document Control Center;
- (r) Document Control (Satellites);
- (s) Document Control (other);
- (t) Personnel or Employment personnel;
- (u) Personnel or Employment Supervision or Management;
- (v) Security personnel;
- (w) Security Supervision or Management;
- (x) Vendor personnel;
- (y) Vendor Supervision or Management.

42. (a) Have there been any mass demonstrations regarding Applicants' investigation into drug use and sale at Comanche Peak?

(b) If the answer to (a) is yes, give specific details for each such incident. Include in your answer what Applicants' response has been to each such incident; supply complete details.

(c) Specifically, is it true that around 200 QC Inspectors walked to the gate prepared to quit or stage a walk-out, but were stopped and persuaded to stay by Gordon Purdy?

(d) If the answer to (c) is yes, or if there is some truth to it, supply specific details. Include in your answer what Applicants' response has been to such incident(s); supply complete details, including whether or not any agreements were made between Applicants and the QC Inspectors, and whether or not Applicants discontinued or cut back in any way on their investigation following such incident(s).

43. (a) Provide a copy of the original NCR and all revisions referenced in the 6/26/84 and 6/30/84 FORT WORTH STAR-TELEGRAM articles (indicated to be dated 6/15/84, by Victor McDermott). (We will definitely want copies of these documents.)

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

43. (continued):

(b) Provide the following information regarding the author of the NCR:

- (i) Name;
- (ii) Address;
- (iii) Telephone number;
- (iv) Job title, discipline, brief job description, contractor or sub-contractor by which he is employed;
- (v) Buildings and systems on which he has worked or works;
- (vi) Has the NCR he wrote been discussed with him by his supervisor or other middle or upper management employees?
- (vii) If the answer to (vi) is yes, supply the name, job title, brief job description, and organization of each such employee.
- (viii) Has he been counseled for any reason since writing the NCR?
- (ix) If the answer to (viii) is yes, what was the reason for such counseling?
- (x) If the answer to (viii) is yes, supply a copy of all such counseling reports. (We will definitely want copies of all such reports.)
- (xi) Is he still employed at CPSES?
- (xii) If the answer to (xi) is yes, is he still performing exactly the same duties in the same area(s) as he was at the time he wrote the NCR?
- (xiii) If the answer to (xii) is no, supply specific details as to the change in duties, area(s), etc., and the reason for such change(s).
- (xiv) If the answer to (xi) is no, supply specific details regarding his termination or resignation, including all documents related in any way to such termination or resignation.

(c) Is the NCR in question a generic NCR?

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

43. (continued):

(d) How many generic NCR's have been written at CPSES?

44. (a) Do Applicants have complete records of the buildings in which and systems on which all employees suspected of taking or selling drugs have worked?

(b) If the answer to (a) is yes, list the specific buildings in which such employees work(ed).

(c) If the answer to (a) is yes, list the specific systems on which such employees work(ed).

(d) If the answer to (a) is yes, list the specific buildings in which such employees who are or were QC Inspectors (Non-ASME) work(ed).

(e) If the answer to (a) is yes, list the specific systems on which such employees who are or were QC Inspectors (Non-ASME) work(ed).

(f) If the answer to (a) is yes, list the specific buildings in which such employees who are or were QC Inspectors (ASME) work(ed).

(g) If the answer to (a) is yes, list the specific systems on which such employees who are or were QC Inspectors (ASME) work(ed).

(d) If the answer to (a) is no, how have (or will) Applicants determine such buildings and systems?

45. (a) Have Applicants reinspected or do they plan to reinspect the specific buildings and/or systems on which all employees suspected of taking or selling drugs work or have worked?

(b) If the answer to (a) is yes:

(i) list the specific buildings which have already been reinspected, and indicate the extent and status of such reinspections.

(ii) list the specific systems which have already been reinspected, and indicate the extent and status of such reinspections.

(iii) supply specific details, by building and by system regarding the results of such reinspections.

(c) If the answer to (a) is no, give specific details of Applicants' plans and the rationale for their actions in this regard.

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

45. (continued):

- (d) If the answer to (a) is yes:
 - (i) list the specific buildings which have not yet been reinspected.
 - (ii) do Applicants plan to reinspect the specific buildings listed in (i) above? If not, why not? If so, when are such reinspections expected to be begun, and when are such reinspections expected to be completed?
 - (iii) list the specific systems which have not yet been reinspected.
 - (iv) do Applicants plan to reinspect the specific systems listed in (iii) above? If not, why not? If so, when are such reinspections expected to be begun, and when are such reinspections expected to be completed?
- (e) If part of the rationale for Applicants' decisions regarding reinspections is because of redundant and independent inspections:
 - (i) what specific actions have Applicants taken to determine whether or not (for example) more than one QC inspector suspected of drug use or sale worked in one particular area or on one particular system? Give complete details.
 - (ii) for each system on which an employee suspected of taking or selling drugs works or has worked, list the categories (such as field engineers, equipment manufacturers, other QC inspectors, Brown & Root personnel, Authorized Nuclear Inspectors, etc.) on which Applicants are relying for such redundant and independent inspections.

46. (a) Have any individuals resigned since the drug-related investigation began?

(b) If the answer to (a) is yes, provide the following information regarding each such individual:

- (i) Name;
- (ii) Last known address;
- (iii) Last known telephone number;
- (iv) Reason for such resignation;

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

46. (b) (continued):

- (v) Copies of all exit interviews, counseling reports, or other documents related to such resignation.

47. For each of the individuals who were involved in "the T-Shirt incident," provide the following information:

- (a) Was such individual suspected of taking or selling drugs?
- (b) Was an investigation conducted regarding such suspicions?
- (c) Has such individual been terminated since Applicants' 4/5/84 Response to CASE's Seventeenth Set of Interrogatories and Requests to Produce?
- (d) Has such individual resigned since Applicants' 4/5/84 Response to CASE's Seventeenth Set?
- (e) If the answer to (a), (b), (c), and/or (d) is yes, supply complete details.
- (f) If the answer to (a), (b), (c), and/or (d) is yes, supply copies of all exit interviews, counseling reports, all documents related to such termination or resignation.

48. (a) Have Applicants contacted the Nuclear Regulatory Commission (NRC) regarding the drug-related terminations and related developments at CPSES?

(b) If the answer to (a) is yes, supply the following information:

- (i) Who specifically with the NRC was contacted, and who specifically with Applicants contacted the NRC?
- (ii) What has the response of the NRC been? Give full and specific details.

49. (a) Isn't it a fact that NRC publication NUREG/CR-3196, "Drug and Alcohol Abuse: The Bases for Employee Assistance Programs in the Nuclear Utility Industry," published July 1983, offers some guidance regarding the seriousness and potential impact of drug use at nuclear plants?

(b) Isn't it a fact that Applicants rely, in part, on the statements in NUREG/CR-3196 in determining who shall and shall not have unescorted access to CPSES?

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

50. Isn't it a fact that Applicants' policies and procedures utilized in administering its "Security Screening for Unescorted Access" program state, in part:

"A reputation of reliability and trustworthiness will be questioned if the screening reveals any of the following situations:

"(a) Deliberate omission or falsification of information submitted in support of employment or request for unescorted access to Protected or Vital Areas.

"(b) Use of nonprescribed narcotic or hallucinogenic drugs or excessive use of alcohol.

"(c) . . . any criminal conviction which casually relates to the safety or security of the Plant.

". . . when the screening procedure produces information as listed in E(1)(a) through E(1)(f) of this document, individuals will not be permitted unescorted access to vital or protected areas of CPSES unless a subsequent investigation determines that the information is either untrue or that it is not applicable in determining reliability and trustworthiness of the individual."

51. Is it true that:

- (a) The NRC has determined that nuclear workers classified as Quality Control Inspectors consistently rely upon sensory/perceptual, cognitive and motor performance in the conduct of their duties. (p. XVI, NUREG/CR-3196)
- (b) The NRC has determined that marijuana has its greatest effects on motor and cognitive performance and further affects sensory/perceptual performance, especially vigilance. (p. XVII, NUREG/CR-3196)
- (c) The NRC has determined that the effects of the use of marijuana can last from 2 to 4-1/2 hours after ingestion. (p. 29)
- (d) The NRC has concluded that even short-term, low dose use of marijuana will result in a "medium" impairing effect on job performance for employees in the job classification of Quality Control Inspector. (p. 9)
- (e) The NRC has determined that several studies of interpersonal judgment suggest that social behavior is impaired by marijuana use. (p. 29)

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

52. Isn't it a fact that Applicants recently (March 15, 1984) relied upon the statements referenced in 50. and 51. preceding as part of their basis for denying unescorted access to CPSES to a Quality Control Inspector who had sought such access? (Note: If Applicants have difficulty in confirming this, please telephone CASE's representative Juanita Ellis; we do not wish to unnecessarily publicly reveal the name of the individual involved. This information was contained in documents picked up by Mrs. Ellis on 7/2/84 regarding intimidation discovery.)
53. Have Applicants also denied unescorted access to CPSES to each Quality Control Inspector and others who:
- (a) was suspected of taking drugs?
 - (b) admitted taking drugs?
 - (c) had ever been picked up for possession of drugs?
 - (d) had a conviction record for possession of drugs?
 - (e) had ever taken drugs onsite?
 - (f) was suspected of selling drugs?
 - (g) had ever been picked up for selling drugs?
 - (h) had a conviction record for selling drugs?
 - (i) had ever sold drugs onsite?
54. If the answer to any part of 53. is yes:
- (a) supply complete details of each such instance of denial of unescorted access.
 - (b) supply for inspection and copying all documentation of each such instance of denial of unescorted access.
55. If the answer to any part of 53. is no, explain in detail the specific criteria employed by Applicants in making such determinations.
56. (a) List (by title, date, and revision number) all procedures which were in effect as of 3/15/84 regarding unescorted access to CPSES.
- (b) Supply for inspection and copying all procedures and all revisions to such procedures listed in (a) preceding.

CASE'S INFORMAL DISCOVERY REQUESTS REGARDING DRUG-RELATED TERMINATIONS
AND RELATED DEVELOPMENTS AT CPSES (continued):

57. (a) Have Applicants systematically gone through all employees' personnel files to determine which of them have admitted to:
- (i) taking drugs,
 - (ii) having been picked up for possession of drugs,
 - (iii) having conviction(s) for possession of drugs,
 - (iv) selling drugs,
 - (v) having been picked up for selling drugs,
 - (vi) having conviction(s) for selling drugs?
- (b) If the answer to (a) is no, what efforts have Applicants made to determine which employees have information in their personnel files which would indicate that such employee has:
- (i) taken drugs,
 - (ii) been picked up for possession of drugs,
 - (iii) been convicted for possession of drugs,
 - (iv) sold drugs,
 - (v) been picked up for selling drugs,
 - (vi) been convicted for selling drugs?
- (c) What specific efforts have Applicants made to verify whether statements made by employees on resumes and in personnel files regarding drug use, possession, sales, and/or convictions is true?
- (d) Are the efforts referenced in (a), (b), and (c) preceding proceduralized?
- (e) If the answer to (d) preceding is no, what other documentation of Applicants' efforts exists?
- (f) If the answer to (d) preceding is no, supply for inspection and copying all other documentation.
- (g) If the answer to (d) preceding is yes, list the specific procedures.
- (h) Supply for inspection and copying the procedures listed in (g).

Fort Worth Star-Telegram

Tuesday, June 12, 1984 ★ ★ ★

Nuclear plant fires 12 in drug inquiry

By DAN MALONE
Star Telegram Writer

At least a dozen workers at the Comanche Peak nuclear power plant have been fired after an internal investigation determined that they were involved with illegal drugs, a Texas Utilities Co. official said Monday.

"The investigation is continuing and may continue for several days," said utility spokesman Dick Ramsey. "As it was determined that (employees) had involvement (with drugs), they were terminated."

Ramsey said the investigation, begun last week, has found no evidence to suggest that the plant's safety was jeopardized by the fired workers.

"At this point in time, I don't think we have seen anything that gives us

None of the fired workers has been charged with a drug offense, Ramsey said.

"The folks have just been terminated and that's the extent of our action," he said. "Any further action will be up to (law enforcement officials)."

Ramsey said the allegations surfaced through a Brown & Root program that encourages employees to tell management about problems at the plant.

its results. He would not say which agency was notified.

"Since our investigation is not complete, we have not provided them with the results yet. We will do that when we're finished," he said.

Spokesmen for the U.S. Drug Enforcement Administration, the Texas Department of Public Safety and the Somervell County sheriff's office, all of which could have jurisdiction in the matter, said they were unaware of the investigation.

"We investigated (the allegations), found them to be true and have taken action against the employees," Ramsey said.

Ramsey said drug "possession was involved" in some of the firings and that some employees acknowledged their involvement.

"There were some admissions," he said.

Ramsey said the company has notified a law enforcement agency about the investigation, but not of

concern as far as safety goes," he said. He said he had no evidence that job performance was affected.

He said the workers were fired because Texas Utilities, the plant's owner, does not "tolerate any drug-related activity of any kind on our properties."

Details of the investigation are shrouded. Plant managers referred questions to Ramsey. Ramsey refused to disclose the type of drugs involved, the employers of the fired workers or if drugs were being used by workers on the job.

He said "at least a dozen" workers have been terminated but more may be fired before the investigation concludes.

Carmen Goldthwaite, spokeswoman for Brown & Root Inc., said Please see 12 fired on Page 2

12 fired at nuclear plant in drug inquiry

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"about a dozen" of the fired workers were employed by her company. Brown & Root, the giant Houston-based construction company, is the prime contractor at the \$3.89 billion project near Glen Rose, about 45 miles southwest of Fort Worth.

Ramsey said the investigation began early last week after some workers informed company officials that "there were drug activities going on" at the plant.

Plant reports no problems in inspections

By BRUCE MILLAR
Star-Telegram Writer

No safety problems have been uncovered during a review of portions of the Comanche Peak nuclear power plant that were inspected by workers who were suspected of taking drugs on the job, a plant spokesman said Monday.

A two-week crackdown by plant managers resulted in 35 workers resigning or being fired for suspicion of using illegal drugs that could have affected job performance. Plant officials ordered a review of the former employees' work areas to determine whether a full-scale reinspection is necessary. A reinspection would involve costly delays.

The initial phase of the drug investigation by plant officials ended Friday, although the review of inspections is still under way. A plant spokesman said that only safety-related areas are being reviewed.

"As of (Monday) afternoon, we have not found any safety areas that need to be reinspected," said Dick Ramsey, spokesman for Texas Utilities Generating Co.

The company is a consortium of six utilities that share ownership of the \$3.89 billion plant, which is under construction near Glen Rose, 45 miles southwest of Fort Worth.

The rechecking of work areas followed a June 15 "non-conformance" report that cast doubt on the quality of all inspections conducted by the employees suspected of drug use.

"Due to the termination of QA/QC (quality assurance and quality control) personnel for suspicion of taking drugs while performing QA/QC functions, the quality of any items inspected or reviewed by QA/QC personnel who have been terminated for a drug-related charge becomes indeterminate," wrote Victor McDermott, a quality control

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Nuclear plant review turns up no problems

Continued from Page 9
inspector for the primary contractor, Brown & Root Co.

A copy of that report was obtained by the *Star-Telegram*.

Comanche Peak officials said last week that only 1 percent of the plant would require rechecking. But at the bottom of his report, McDermott wrote: "This is a generic N.C.R. (non-conformance report)."

A generic report has plantwide implications. Of the 17,000 non-conformance reports issued in the last eight years, only 50 to 100 have been generic, Ramsey said.

Most non-conformance reports are directed at a specific plant area, and many of them have not required corrective action, he said.

Ramsey said the "generic" term is misleading, however, because inspectors are looking only at specific

areas where certain former employees worked. He said the inspection is a manageable task because plant officials have extensive records of all areas where the former employees had inspected work.

"It's not the sort of thing that we like to deal with. But it's the sort of thing that should be taken care of. And we're taking care of it," Ramsey said.

Some plant employees lost their jobs after they were suspected of taking illegal drugs. But plant officials said it would be unfair to use the same criterion to judge whether the work they left behind is safe.

"There certainly has not been any determination this is safety-related. You are just jumping the gun if you are assuming that there is any safety significance," Ramsey said.

Fort Worth Star-Telegram

Saturday, June 30, 1984 ★ ★ ★

Comanche Peak not reviewing safety areas

By BRUCE MILLAR
Star-Telegram Writer

Critical safety areas at Comanche Peak nuclear power plant are being bypassed in an inspection ordered by utility owners after a recent drug investigation, plant officials have acknowledged.

These areas are being ignored despite the utility's acknowledgment that among the 35 workers who resigned or were fired on suspicion of taking drugs on the job was at least

one inspector who conducted safety checks in the heart of the nuclear reactor.

A June 15 "non-conformance" report cast doubt on the quality of all areas inspected by the former workers who were fired or resigned this month as a result of a drug investigation. But key safety-related areas including the control rod drive mechanism, the fuel cell area and the spent fuel pool are not being re-examined, said two top-level quality

control managers for plant owners and contractors.

Gordon Purdy, on-site quality assurance manager for general contractor Brown & Root, said the decision not to reinspect the critical safety-related systems was based on confidence that the plant's elaborate inspection program would have found defects.

Purdy said each critical safety area is inspected as many as four times by field engineers, equipment

manufacturers, Brown & Root personnel and insurance company inspectors. The importance of the plant equipment or systems dictates the degree of inspection, he said.

"The odds of anything in the reactor not meeting the requirements of the designer are zero," Purdy said.

"The more critical a system, the more redundant and independent the inspections are," added Tony Vega, on-site quality assurance

manager for Texas Utilities Generating Co.

TUGCO is a consortium of six utilities sharing ownership of the plant, which is under construction near Glen Rose, 45 miles southwest of Fort Worth.

TUGCO spokesman Dick Ramsey said that multiple inspections in reactor systems diminish the impact of a single Brown & Root quality control inspector. Consequently,

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Continued from Page 1

inspection crews from TUGCO are continuing their rechecking efforts to less critical safety-related areas, he said.

"Sure, they [the former inspectors] worked in those areas, but you need to understand the rest of the story," Ramsey said.

A report by Victor McDermott, a Brown & Root quality control inspector, prompted the rechecking effort. In the aftermath of the drug crackdown, McDermott issued a sweeping "non-conformance report" for all the former employees' inspections. He covered their work in all systems, in all locations of the twin reactor facility. The reports are notices of a suspected problem and do not necessarily mean a violation has occurred.

"The quality of any items inspected or reviewed by quality assurance-quality control personnel who have been terminated for a drug-related charge becomes undeterminable," the report said.

Utility spokesmen have declined to state specifically which areas are being rechecked in the aftermath of the drug investigation.

But plant officials said records show each area where the Brown & Root inspectors worked. And in their review, TUGCO inspectors are rechecking the records — not the hardware — of less critical areas of the plant. The re-examination of those areas is a manageable task that will not lead to a total plant reinspection, Ramsey said.

Plant officials said last week that they had found no areas that would need reinspection. An overall reinspection, if necessary, could mean completion delays and higher construction costs.

Other safety systems not being rechecked include critical cooling system pipe hangers and pipe supports, protective paint coatings, the heating-ventilation and air conditioning systems, the boron cycle system, which controls the radioactivity of the cooling water, the service water intake system, large pumps that take water from the lake into the reactor coolant system, and residual heat pumps that remove heat from coolant water.

At least one quality control in-

pector terminated in the drug investigation worked in each of these areas, Ramsey said.

Purdy said McDermott might not have been aware of the multitermed levels of inspections when he issued the non-conformance report. McDermott had never worked with the elaborate inspection system, he said.

Officials from the utility and the U.S. Nuclear Regulatory Commission drew criticism from two public interest groups for their handling of the rechecking effort.

"Obviously we think safety-related systems are, if anything, more important and need to be rechecked. We will be pursuing this in operating license proceedings," said Juanita Ellis, president of the Dallas-based Citizens for Sound Energy. The group is a formal participant in the licensing hearings for the plant.

"One of the problems that we see there is that we believe that massive intimidation has occurred of quality control inspectors and others. That renders the effectiveness of these multiple inspections questionable also," Ellis said.

So far, U.S. Nuclear Regulatory Commission officials have stayed out of the rechecking of safety-related systems at Comanche Peak.

Agency officials in the Arlington regional office said last week that they believed that Texas Utilities officials were "acting responsibly" and saw no reason to interfere.

But a Washington-based public interest group, the Government Accountability Project, has requested

that the agency take a direct role by launching a separate investigation. The request was made in a letter to NRC officials that was received June 20.

GAP representatives claimed in the letter that a number of employees terminated in recent months lost their jobs because they wouldn't cooperate with drug "tinglers."

"We note that in similar instances of drug abuse terminations at other sites under construction, particularly the Midland (MICH) facility and the Diablo Canyon (California) facility, the NRC has required a 100 percent investigation and inspection of the work of those who were terminated," said the letter, which was signed by Tom Carpenter and Ernie Hadley.

The GAP representatives said an NRC inquiry was needed to determine whether job performances were affected by drug abuse, whether a morale problem occurred after employees were fired and to determine whether Brown & Root was unable to control its personnel despite the earlier efforts of other employees to expose the problem.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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|-------------------------------|----|-----------------------------------|
| In the Matter of | }} | |
| | }} | |
| TEXAS UTILITIES ELECTRIC | }} | Docket Nos. 50-445-1 and 50-445-2 |
| COMPANY, <u>et al.</u> | }} | and 50-446-1 and 50-446-2 |
| (Comanche Peak Steam Electric | }} | |
| Station, Units 1 and 2) | }} | |

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that true and correct copies of
CASE's 7/3/84 letter to Wm. A. Horin, Applicants, re: Informal Discovery
~~Regarding Drug-Related Terminations and Related Developments at CPSES~~

have been sent to the names listed below this ^{4th}~~3rd~~ day of July, 1984,
by: Express Mail where indicated by * and First Class Mail elsewhere.

- | | |
|--|--|
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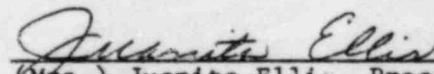
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