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Writer's Direct Dial Number:

March 29, 1985

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, DC 20555

SUBJECT: THREE MILE ISLAND UNIT 1
DOCKET NO. 50-289
NUREG 0680 SUPPLEMENT 5

My letter of March 12 forwarded information provided by Bechtel relative to the portion of Supplement No 5 dealing with alleged harassment of Mr. Parks and requested that it be reviewed and considered by the Staff.

Shortly thereafter I requested Mr. Stier to review that subject and identify for me any additional information on this matter on the public record which had not been cited in Supplement 5 and thus might also have not been considered.

Mr. Stier's memo to me of March 29 is enclosed for your consideration and by copy of this letter for consideration by the Office of Inspection and Enforcement review.

Very truly yours,

P.R. Clark

P.R. Clark
President


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Attachment

cc: Mr. James M. Taylor, Director
NRC Office of Inspection and Enforcement
Kennedy P. Richardson, Esquire
Thelen, Marrin, Johnson & Bridges
Mr. H.W. Wahl
Bechtel Power Corporation
E.L. Blake, Esquire
Shaw, Pittman Potts and Trowbridge

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TO: Philip R. Clark
FROM: Edwin H. Stier

DATE: March 29, 1985

SUBJECT: NUREG-0680 Supplement 5

BACKGROUND

At your request I have reviewed the portions of NUREG-0680 Supplement 5 (Supplement 5) that deal with the alleged harassment of Richard D. Parks. I will describe in this memorandum the evidence that is not cited in Supplement 5, but is relevant to those issues. The portions of Supplement 5 dealing with harassment of Parks are Sections 10.2.1 entitled, "R. D. Parks Investigation Results" and 10.3.1 entitled, "R. D. Parks Staff Findings."

Section 10.2.1 discusses four specific allegations made by Parks and cites two sources of evidence: the Parks affidavit dated March 21, 1983 and the report of a U.S. Department of Labor (DOL) investigation of Parks' allegations. Section 10.3.1

of Supplement 5 concurs in the findings of the DOL report that Parks was subjected to harassment by "management officials of Bechtel with the knowledge of GPUN." In addition to resolving each of the four allegations of harassment in favor of Parks, Supplement 5 finds that three further actions by TMI-2 management were improper.

This memorandum does not address whether the factual citations in Supplement 5 are correct or whether its conclusions are consistent with the evidence. Its sole purpose is to identify any evidence known to me and on the public record that I believe is relevant to the findings in Supplement 5 and that was not cited in that document.

In discussing Parks' harassment allegations, Supplement 5 does not cite the evidence contained in our report of November 16, 1983 entitled "TMI-2 Report/Management and Safety Allegations." Supplement 5 states in reference to the report: "Parks' allegations of harassment were not investigated by the licensee and are not addressed in the Stier Report (November 16, 1983, Vol.III, Harassment Allegations)." (Supplement 5, p. 10-19); and "The Stier Report (May 18, 1984, OI Report Ex.102), although it does review two of Parks complaints in Volume 4, is incomplete in its review of Park's allegation of harassment." (Supplement 5, p. 13-10)

These statements are essentially correct. We did not investigate Parks' harassment allegations as such. However, several of Parks' allegations were investigated not as harassment issues but rather as issues relevant to TMI-2 management's attitude toward procedural compliance. Sworn testimony was taken that bears directly upon whether Parks was subjected to harassment, even though that evidence was not categorized as harassment evidence for purposes of analysis in our report. This evidence was not cited in Supplement 5 and thus was apparently not considered by the NRC staff.

It should be noted that in other portions of Supplement 5 dealing with the harassment allegations made by King and Gischel, our evidence was cited and relied upon. This is because our evidence was incorporated into the OI report dated May 18, 1984. That OI report was used as the primary source of evidence to resolve all of the harassment allegations considered in Supplement 5. However, the OI report did not contain its own analysis of the facts relating to Parks' harassment claims. Instead, OI accepted the report prepared by the DOL and incorporated the DOL report in its own report. Supplement 5 does not indicate that the NRC staff went beyond the contents of the OI report in gathering evidence. Therefore it appears that they restricted themselves to the evidence contained in the DOL report which was issued before the publication of our report.

Staff Findings in Supplement 5

The following is a list of the findings in Supplement 5 relating to Parks' harassment allegations. Each is followed by a summary of relevant evidence that I believe was not considered by the NRC Staff.¹

- 1) "The Removal by Thiesing of Parks as Alternate Startup and Test Supervisor at TMI-2 on February 23, 1983, was inappropriate." (emphasis added) (Supplement 5, p. 10-17)

This issue was dealt with in our report as a part of an analysis of Parks' allegations concerning the approval of the Polar Crane Load Test procedure.² That report contains the following discussion of this issue:

Replacement of Parks as Alternate Startup and Test Supervisor

Another of Parks' allegations is that at the February 23, 1983 meeting held to discuss his comments on the Load Test procedure, Thiesing

-
- 1 Bechtel prepared a report concerning Parks' harassment allegations dated October 1984. Since their analysis and supporting evidence is clearly presented in that document, I will not incorporate it in this memorandum.
 - 2 TMI-2 Report/Management and Safety Allegations, Vol.IV, Polar Crane Allegations, pp. 79-81

informed him that he had issued a memorandum replacing Parks as alternate Startup and Test Supervisor. The implication is that Parks' removal was an act of reprisal for issuing his comments on the Load Test procedure. Parks also alleges that his replacement was unqualified to act as alternate Startup and Test Supervisor.⁴⁸⁴

A review of the relevant documentation and testimony indicates that Parks' allegation cannot be supported. AP 1047 establishes the Startup and Test group and designates the Startup and Test Manager or his alternate as the chairman of TWG.⁴⁸⁵ AP 1047, Section 2.1, defines an "alternate" as someone having the same "responsibility" and "authority" as the permanent member of TWG. Therefore, since the chairman was from the Site Engineering Department, his alternate should also be from that department.⁴⁸⁶

According to Kitler, who served as Startup and Test Supervisor and Chairman of the TWG prior to January 1, 1983, there was no one within the TMI-2 organization other than Parks who was qualified to act as his alternate.⁴⁸⁷ He testified:

I needed an alternate, mainly to review and approve return to service forms, during my absence. Rick Parks, who was assigned to Site Operations, was qualified and had acted in that position on occasion when he worked for NUS Corp. at the Island. I requested and received approval from my supervisor Dave Buchanan and Rick's supervisor Larry King, to appoint Rick as my alternate on December 6, 1982.⁴⁸⁸

As a result, Kitler initially designated Parks as his alternate out of necessity even though Parks was not from the Site Engineering Department as required by AP 1047.⁴⁸⁹

Kitler testified that in February, Parks insisted on verbatim compliance with AP 1047. At that time, the way TWG membership was constructed, Site Operations would have had the majority vote,

during Kitler's absence. In order to correct this imbalance and to maintain a system of checks and balances and ensure Site Engineering had a voting member, Kitler decided to update the TWG membership to conform to the requirements of AP 1047.⁴⁹⁰ Dwight Walker, Startup and Test Engineer, had commenced employment at TMI-2 in January 1983.⁴⁹¹ Kitler believed Walker was qualified to be his alternate. He has been a Startup and Test engineer since 1976. Prior to that, he was a design engineer. Furthermore, Walker was from within the same organization as Kitler, Site Engineering. Therefore, Walker was more appropriately qualified to be the Startup and Test Supervisor's alternate.⁴⁹² Accordingly, on February 18, 1983, Kitler issued two memoranda designating Walker as the alternate Startup and Test Supervisor and alternate TWG Chairman.⁴⁹³

Kitler stated that the decision to designate a new alternate chairman was his alone.⁴⁹⁴ This is confirmed by Buchanan and Thiesing.⁴⁹⁵ Kitler cleared the decision to name Walker as his alternate with his supervisor, Buchanan, head of Site Engineering, and a GPUN employee. But the initiative was Kitler's.⁴⁹⁶

Parks has also alleged that Walker admitted to him at a TWG meeting that Walker had little or no knowledge either of the Testing Manual or the Modifications Control Program.⁴⁹⁷ Walker denies ever making such a statement but indicates that, prior to a TWG meeting, he once told Parks that he had never attended a TWG meeting and asked Parks how the meetings were conducted.⁴⁹⁸

Thus, according to Walker, Parks has completely mischaracterized the incident and conversations referred to in the affidavit. (Footnotes, excerpts from transcripts, and documents are attached hereto as Attachment A).

- 2) "Although there may have been, initially, a valid reason for Bechtel to investigate allegations that Parks might have been involved with Quiltec, because of his friendship and close working relationship with King, the March 14, 1983, interrogation of Parks by Wheeler, his administrative supervisor, and Hoffman, Bechtel internal affairs, was improper and constituted intimidation of Parks. (Supplement 5, p. 10-17).

Our report did not specifically cover the March 14, 1983 meeting between Parks, Hoffman, and Wheeler because the meeting involved only Bechtel personnel and was therefore outside of the scope of our investigation. However, our report did contain evidence that may be helpful in understanding how that meeting came about.

On February 24, 1983 Lawrence King was suspended by GPUN because of his involvement with a corporation known as Quiltec. King was a major shareholder and the company's chief executive officer. His association with Quiltec constituted a conflict of interest because of Quiltec's efforts to recruit employees at Three Mile Island. Immediately after King's suspension, Robert Arnold, then President of GPUN, began an investigation of Quiltec's activities at Three Mile Island.

Arnold requested that King answer 21 questions concerning Quiltec and he interviewed several individuals who had knowledge of Quiltec activities. Arnold also received a memorandum dated March 4, 1983 from Larry G. Santee describing an interview with a secretary at TMI. In essence, the

secretary stated that she had been employed by Parks to prepare a number of resumes for Quiltec. Many of those resumes were of GPUN employees. The secretary could not remember all the names that appeared on the resumes, nor did she know what connection Parks had with Quiltec or its recruitment efforts.

Arnold questioned King about the preparation of the resumes and came away with the feeling that King was giving him a "very noncommittal, nonspecific response." He had requested that Bechtel look into the conduct of that company's employees with respect to Quiltec. It appears that Arnold's request for information led to the interview of Parks on March 14, 1983. On the following day, the results of the interview were reported to Arnold by Bahman Kanga, director of TMI-2. Arnold used that information in deciding upon the action to be taken concerning King. (Relevant excerpts from testimony and documents are attached hereto as Attachment B.)

- 3) "The removal by Kanga (Director, TMI-2) of Parks on March 17, 1983, as the primary SO Department representative on the TWG for the reactor building polar crane project was improper (emphasis added) (Supplement 5, p. 10-18)

This issue is covered in the section of our report dealing with the Load Test procedure.³ In that report we describe

³ TMI-2 Report/Management and Safety Allegations, Vol. IV, Polar Crane Allegations, pp. 81-84

the circumstances surrounding Parks' removal as the SO representative on the TWG as follows:

Parks' Removal as Primary TWG Member

Parks asserts he was being pressured into signing and approving the Load Test procedure as late as March 17, 1983.⁴⁹⁹ He implies that at that time, Kanga removed him as a primary TWG member as a result of his concerns with the Polar Crane Load Test procedure.⁵⁰⁰

Parks introduces the issue by stating, "Around 1:00 p.m. that day, I informed Joe Chwastyk that I could not approve the polar crane load test, because of the serious violations that permeated the program."⁵⁰¹ "Around 3:30 p.m. that afternoon, I was called back to B. Kanga's office for a meeting with him and Chwastyk."⁵⁰² The subject of the meeting, according to Parks, was a letter of March 17, 1983, removing Parks as primary TWG member for the polar crane review.⁵⁰³ Parks emphasizes he was removed as primary TWG [representative] for polar crane "only."⁵⁰⁴ He does not describe what, if anything, happened immediately prior to the meeting or whether he had any prior notice of Chwastyk's letter.⁵⁰⁵ Parks does state, however, that Kanga asked him twice to agree that his removal was not an act of intimidation.⁵⁰⁶ According to Parks, "I responded, 'In my opinion, the intent is well-defined.'"⁵⁰⁷ Beyond that cryptic remark, Parks does not explain the nature or substance of the conversation with Kanga during the course of this meeting.⁵⁰⁸

According to Chwastyk, Parks approached him and "suggested that he [Parks] may be so close to this project that he is no longer [able] to distinguish real from perceived problems."⁵⁰⁹ Chwastyk spoke with Parks and suggested that he consider resigning as primary TWG representative for the polar crane. According to Chwastyk:

He thought it was a good idea, so I told him, Okay, I'll draft up the letter and we'll go over it and make sure you agree with it and I'll put it out.⁵¹⁰

Chwastyk then drafted the letter replacing Parks with another Site Operations member, Marshall. The letter reads in relevant part:

This action is considered appropriate for the present situation and is not considered a negative reflection of Mr. Parks' ability, conduct or performance.

The designation of Mr. Marshall should not adversely effect the Polar Crane Refurbishment Schedule.⁵¹¹

Parks and Chwastyk reviewed it together and Chwastyk claims Parks was satisfied with its content. Chwastyk also indicates Parks may have even edited the letter.⁵¹² Subsequent to writing the letter, Chwastyk telephoned Kanga to explain Parks' desire to be removed as primary TWG [representative].⁵¹³ Kanga substantially confirms Chwastyk.⁵¹⁴

According to Kanga, Chwastyk telephoned him and explained that Parks was under pressure and expressed a desire to be relieved of his duties on TWG.⁵¹⁵ Kanga and Chwastyk met with Parks in Kanga's office. Both also agree that Parks approved of his removal.⁵¹⁶ Kanga in describing his telephone call from Chwastyk testified:

Parks was quite nervous that day and that he felt that it would be helpful to Parks if Parks was replaced as primary member for TWG the Polar Crane project only which would reduce pressure on Parks.⁵¹⁷

Chwastyk then went to Kanga's office where they reviewed the letter. Kanga testified:

I asked him [Chwastyk] if ... Parks had indicated any objection to the memo.

Chwastyk told me that he had not, that Parks in effect welcomed that memo ...⁵¹⁸

Following this discussion, Kanga asked Parks to come to his office. According to Kanga:

Mr. Parks basically affirmed ... that he understood what the memo said and that it was not being interpreted by Mr. Parks as being intimidation or a reflection on his work.⁵¹⁹

Kanga and Chwastyk both state the Chwastyk signed the letter removing Parks as primary TWG [representative] for the polar crane following these discussions.⁵²⁰ Neither Kanga nor Chwastyk recall whether Parks in fact used the words: "the intent is well defined" in response to Kanga's question.⁵²¹ Both Kanga and Chwastyk agree that Parks left the clear impression that he willingly accepted the letter and his removal from TWG.⁵²²

Parks implies that his removal was motivated by his refusal to approve the Load Test procedure. He presents a description of these events without describing his previous knowledge of Chwastyk's letter and without detailing his conversations during the meeting with Kanga. Kanga and Chwastyk described what occurred consistent with Parks' affidavit except that Kanga and Chwastyk have added details left out by Parks. Parks was not improperly removed from TWG. (Relevant footnotes, excerpts from transcripts, and documents are attached hereto as Attachment C.)

- 4) "The action by Wheeler on March 24, 1983, placing Parks on leave of absence with pay and prohibiting his entry to the job site without permission from Bechtel was improper." (Supplement 5, p. 10-18)

We did not investigate this issue, nor do I have specific evidence to call to your attention.

- 5) "The comments by Barton (GPUN), during a GPUN and Bechtel management meeting, threatening to fire or suspend Parks for having publicly aired his allegations were improper." (Supplement 5, p. 10-18)

This matter was separately investigated at your request and is covered in our report entitled "TMI-2 Staff Meeting of March 23, 1983," dated November 1, 1984. Our conclusion was that Barton had made statements "calling for the firing or suspension of Parks. Barton stated that Parks should not be allowed back on the Island. These comments were spontaneous personal reactions and were not treated as recommendations to be decided upon at the meeting." I understand the November 1, 1984 report was furnished to NRC and therefore it has not been attached as an exhibit to this report.

- 6) "The comments to Parks by Kanga, threatening him not to publicly state his concerns about the polar crane and telling him that another employee who had tried to publicly state his safety concerns had been humiliated, clearly represented harassment." (Supplement 5, p. 10-18)
- 7) "Kanga told Parks that he had put Bechtel in a bad light with a client (presumably by raising safety concerns about the crane) and stood a good chance of being fired. This, in the staff's view, was a clear threat of retaliation." (Supplement 5, p. 10-18)

Both of the above comments allegedly were made by Kanga to Parks at a meeting on the morning of March 17, 1983. We did not investigate that meeting.

Since the morning meeting was attended only by Parks and Kanga, it is not possible to find independent, direct evidence of what took place. Kanga, in his statement to DOL investigators, has denied making threatening remarks to Parks. Two categories of circumstantial evidence might be helpful in resolving this dispute. First, the evidence described above dealing with Kanga's meeting with Parks and Chwastyk in the afternoon of March 17, 1983 indicates that Kanga's attitude was protective of Parks rather than threatening. Second, our report of November 16, 1983 contains a great deal of evidence reflecting upon Parks' credibility. Anyone attempting to decide whether to accept Parks' uncorroborated statements should review our report and compare his sworn allegations with the documentary and testimonial evidence we gathered. In addition, the Bechtel report dated October 1984 deals extensively with Parks' credibility and should be considered.

ATTACHMENT A

484 Parks. Affidavit. p 25. #83.00, Tab 24.

485 Procedure 1047, Rev. 0. Startup and Test. Section 3.2.1.2. #12.00,
Tab 75.

486 Ibid. Section 2.1. #12.00, Tab 75.

487 Kitler. 7/27/83. pp 19, 20.

488 Ibid. p 19.

489 Ibid. pp 19-20.

490 Ibid. pp 19-20.

Thiesing. pp 55, 56.

491 Kitler. 7/27/83. pp 19, 20.

Walker. p 3.

492 Kitler. 7/27/83. p 21.

Walker. pp 14-15.

493 Kitler. IOM 4345-83-0002 to Buchanan et al. Designation of D. Walker as alternate Startup and Test Supervisor. 2/18/83. #48.02, Tab 308.

Kitler. IOM 4345-83-0003 to Buchanan et al. Designation of D. Walker as alternate TWG Chairman. 2/18/83. #48.03, Tab 309.

494 Kitler. 7/27/83. p 20.

495 Buchanan. pp 3-5.

Triesing. pp 55-56.

496 Kitler. 7/27/83. p 20.

Buchanan. pp 3, 4, 5.

497 Parks. Affidavit. p 25. #83.00, Tab 24.

498 Walker. p 15.

PARKS AFFIDAVI"

current role as alternate startup and test supervisor I was still responsible to identify potential QA audit deficiencies.

Jim Theising interjected to inform me that I no longer had to worry about that. He had issued a memorandum that day or the day before appointing a new alternate, thereby relieving me. The new man, Dwight Walker, had been on the Island less than six months and had little or no knowledge either of the testing manual or the modifications control program. He later admitted this to me at a Test Work Group (TWG) ^{AP} meeting. Further, Ed Kitler had only been startup supervisor since September and did not have a good working knowledge of the test manual.

Returning to the February 23 meeting, I suggested that the issue was whether the polar crane load test procedure was a functional test procedure or not. A functional test procedure demonstrates the total, integrated capacity of a system or component to operationally perform as designed, before releasing it for unlimited use. Under AP-1043 and AP-1047, if it were a functional test, it would have to go through the turnover process and through site operations prior to the test.

Management was visibly upset. I suggested that the polar crane load test could be classified as a construction test, which could be performed prior to turnover. Freerman asked if we would still have to perform another test after turnover to satisfy the functional test requirement. I said either we'd have to perform another functional test, or else have the Test Work Group review and approve the procedure prior to turnover. TWG could evaluate the load test procedure as the equivalent to a functional test.

The TWG officially is a review group utilized as a management

TAB 75

2.0 TEST WORKING GROUP (TWG)

2.1 Members - TWG shall consist of one (1) member and at least one (1) alternate from the following organizations:

NOTE: Alternates shall be deemed to have the same responsibility and authority as the permanent members.

- a. *Startup and Test (Chairman).
- b. *Plant Operations Dept.
- c. Plant Engineering Dept.
- d. *Recovery Engineering
- e. **Site Quality Assurance Mod/Op.

*Voting member

**Voting Member for important to safety testing only.

2.2 Principal Responsibilities

- a. Administer the Test Program policies and requirements through use of detailed test instructions (TI's) identified in Appendix A of this manual.
- b. Approve TI's identified in Appendix A of this manual.
- c. Review and approve test procedures prior to performance (See TI-1).
- d. Review and approve completed test procedure results (See TI-1).
- e. Establish and approve the scope of the Test Program as contained in the Test Index (See TI-2).
- f. Approve milestone event prerequisite lists (See TI-9).

2.3 TWG Function

- 2.3.1 The Test Working Group will conduct its business through meetings with the Startup and Test Representative as

FOR USE IN UNIT II ONLY

1047
Revision 0

Control Center in accordance with TI-4 or AP 1043 as applicable.

- 3.1.4 SU and T is responsible for identifying, documenting and obtaining resolution of problems encountered during test performance (See TI-7).

3.2 Responsibilities of Individuals Within Startup and Test Group.

3.2.1 Startup and Test Manager.

- 3.2.1.1 Has overall responsibility for the Test Program. The Startup and Test Manager reports to the Plant Engineering Manager.

- 3.2.1.2 The SU and T Manager or his alternate is the Chairman of the TNG.

- 3.2.1.3 Is responsible for the efforts of SU and T Engineers in the preparation and performance of test program documents

- 3.2.1.4 Review applicable commitment documents such as the Unit 2 Recovery QA plan, Regulatory Guides, etc., to assure that test commitments are included in test procedures.

- 3.2.1.5 Identify and obtain resolution of problems arising during construction testing through use of Field Questionnaire (AP 1043) and Startup Problem Reports (See TI-7).

3.2.2 Startup Test Engineers

- 3.2.2.1 Prepare Generic test packages and individual test procedures.

- 3.2.2.2 Inform the Shift Supervisor/Shift Foreman of testing to be performed. Obtain his agreement with the test to be performed.

EDWARD KITLER STATEMENT

1 misunderstanding. The March 23th meeting was to go ahead and
2 document the resolution and have everyone agree to them at
3 one time. The March 28th TWG meeting did not result in any
4 changes to the load test procedure.

5 BY MR. FRECH:

6 Q Can I ask you did Mr. Parks indicate any reason for
7 his refusal to sign the TWG minutes of February 25, 1983?

8 A I believe his comments were concerning some of the
9 prior testing done to the load test. I'm not really too sure.

10 Q Prior testing done to the load test?

11 A Well, some of the testing done prior to the load test.
12 I think he believed the no load test procedure was a functional
13 test, also.

14 Q Did he ever send you a written memorandum objecting
15 to the TWG minutes?

16 A No.

17 Q As they are?

18 A Well, he never sent me a written memorandum to the
19 TWG meeting minutes because these meeting minutes were never
20 issued. Shortly after my discussion with Rick Parks, I left
21 for a vacation. And when I returned, there was no need to
22 distribute the minutes since the whole program had been changed.

23 Q Also on page 25 of Parks' affidavit, Mr. Parks
24 indicated that Mr. Thiesing had issued a memorandum appointing
25 a new alternate, and I believe where he says alternate, he's

1 referring to alternate start up and test supervisor?

2 A Right.

3 Q Is that a correct statement?

4 A No, that is not a correct statement, I issued a
5 memorandum on February 18, 1983, designating Dwight Walker to
6 act in my behalf as Startup and Test Supervisor during periods
7 of my absence.

8 Q Is our document number 48.02 that memorandum to which
9 you are referring?

10 A Yes, that is it.

11 Q What was the reason for the replacement of Mr. Parks
12 as alternate start up and test supervisor?

13 A In December of 1982, there was no one, other than
14 myself, assigned to Site Engineering that was qualified to act
15 as Startup and Test Supervisor. I needed an alternate, mainly
16 to review and approve return to service forms, during my
17 absence. Rick Parks, who was assigned to Site Operations, was
18 qualified and had acted in that position on occasion when he
19 worked for NUS Corp. at the Island. I requested and received
20 approval from my supervisor Dave Buchannan and Rick's
21 supervisor Larry King, to appoint Rick as my alternate on
22 December 6, 1982. This was an unusual situation in that you
23 have the Startup and Test Supervisor assigned to Site Engineering
24 and his alternate out of Site Operations. Really, both these
25 people should be in the same department. In January of 1983

1 Dwight Walker, who was qualified as a test engineer, was
2 assigned to Site Engineering at TMI. In February Mr. Parks
3 started insisting on verbatim compliance with AP-1047. At
4 that time, the way the TWG membership was designated, Site
5 Operations would have had the majority vote, during my absence.
6 In order to correct the aforementioned misalignment and to maintain
7 a system of checks and balances and ensure Site Engineering had
8 a voting member, I decided to update the TWG membership and
9 designate Dwight Walker as my alternate.

10 Q Is there any document or procedure which sets forth
11 the requirements for membership to TWG?

12 A Yes, AP-1047.

13 Q And I believe that document indicates that TWG members
14 shall be from a number of different departments on the Island?

15 A Right.

16 Q Is Section 2.1 of 1047 the section to which you are
17 referring?

18 A Yes, it is.

19 Q Did anyone direct you to replace Mr. Parks as
20 alternate for yourself or was this your own decision?

21 A This was my own decision. I checked with my
22 supervisor, Dave Buchanan, and he agreed.

23 Q Mr. Parks intimates at page 25 that Mr. Dwight
24 Walker had been on the Island less than six months and had
25 little or no knowledge of the testing modifications, testing

JAMES THIESING STATEMENT

1 comments that have not been resolved, most of them in his favor,
2 though they were issues of form and format more than substance.

3 Q Mr. Parks has also alleged that at a February 23rd,
4 1983 meeting, you removed him as alternate Start-up and Test
5 supervisor and replaced him with a less experienced person; is
6 that true?

7 A That allegation is incorrect. At that meeting (and I
8 can't confirm the date) I informed him that he had been replaced.
9 That replacement was done by the manager of Start-up and Test for
10 TMI-2, Ed Kitler, in a memo which Mr. Kitler issued. I was not
11 aware of his intention to do that prior to his issuing the
12 memo. I became aware that it had happened after he issued
13 the memo. That was a move to correct an organizational
14 deficiency which existed in that the Start-up and Test
15 function is a responsibility of Site Engineering.

16 Mr. Parks was assigned to Site Operations organization
17 which is not the organization that's given responsibility for
18 start-up and test, ergo the alternate Start-up and Test manager
19 should be a representative of the Site Engineering organization.
20 It's not at all clear to me that the gentleman who was
21 appointed alternate Start-up and Test manager is in fact less
22 experienced at start-up and test than Mr. Parks is.

23 Q At another meeting on March 3rd as alleged by Mr.
24 Parks, the Polar Crane was the topic of discussion, and Mr.
25 Parks alleges that he suggested that the Polar Crane cable was

DWIGHT WALKER STATEMENT

1 AP-1013 was used.

2 Q AP-1013 being the electrical jumper and the lifted
3 lead procedure?

4 A Yes.

5 Q Mr. Walker, to your knowledge, has the TWG reviewed
6 the load test procedure?

7 A I believe so but I wasn't involved in it as a TWG
8 member.

9 Q Mr. Walker, moving to a different area of questioning
10 at the moment, your appointment as a startup and test alternate.
11 I believe, who is it that determines that you would be
12 appointed as startup and test alternate?

13 A Ed Kitler.

14 Q Did Mr. Kitler give you any reason why he was
15 appointing you?

16 A Not at the time, I don't think he did.

17 Q Has he ever explained to you why he appointed you?

18 A We've had some discussions about it, yes, since then.

19 Q And what has he related to you concerning that?

20 A That the startup and test position is a Site
21 Engineering position and now that I am at TMI in Site
22 Engineering and have the necessary qualifications, I would be
23 the logical one to be Ed Kitler's alternate.

24 Q Had you had any prior experience as a startup and
25 test engineer?

1 A Yes.

2 Q And where would that have been?

3 A I have essentially been a startup and test engineer
4 since 1976. For three years prior to that I was a design
5 engineer. Before that I attended Penn State where I received
6 a B.S. Degree in Nuclear Engineering.

7 Q Did Mr. Parks discuss with you your appointment as
8 startup and test alternate?

9 A No.

10 Q Did you ever make the statement to Mr. Parks that you
11 lacked knowledge of the startup and test manual?

12 A Not directly.

13 Q Indirectly?

14 A No. The conversation I had with Rick Parks was
15 concerning chairing the TWG meeting, that it was my first TWG
16 meeting I had been to and I had felt uncomfortable about it.
17 That's essentially all that we talked about.

18 Q Just to clarify that and correct me if I'm wrong,
19 was the nature of the conversation then your unfamiliarity with
20 TWG meetings as opposed to the duties of the startup and test
21 engineer?

22 A That was all the discussion was about, yes.

23 Q Going back for a moment to the TWG meeting and your
24 responsibility to keep the minutes of that meeting of March 4th,
25 did anyone instruct you as to what criteria you should follow in

TAB 308

Inter-Office Memorandum

GPU Nuclear

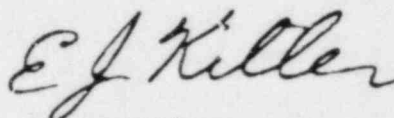
Date 4345-83-0002
February 18, 1983

Subject Startup and Test
Personnel Coverage


Location Administration Building

To D. R. Buchanan
J. J. Chwastyk
J. C. Fornicola
L. P. King
G. A. Kunder
E. E. Munnert
R. P. Warren

During periods of my absence, D. Walker will act in my behalf as
Startup and Test Supervisor of Unit 2.



E. J. Kitler
Startup & Test Supervisor
Unit 2
Site Engineering

 EJK/jaa

cc: J. W. Thiesing
D. D. Walker

TAB 309

Inter-Office Memorandum

GPU Nuclear

4345-83-0003
February 18, 1983

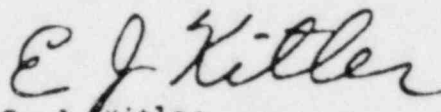
Procedure AP1047
Startup & Test Manual
TWG Membership

Location Administration Building


D. R. Buchanan
J. J. Chwastyk
J. C. Fornicola
L. P. King
G. A. Kunder
E. E. Munnert
R. P. Warren

In accordance with paragraph 2.1 of the subject procedure, Startup and Test membership on TWG will be:

E. J. Kitler (Member)
D. D. Walker (Alternate)



E. J. Kitler
Startup & Test Supervisor
Unit 2
Site Engineering

 EJK/jaa

cc: J. W. Thiesing
D. D. Walker

DAVID BUCHANAN STATEMENT

1 please.

2 A My name is David R. Buchanan, B-u-c-h-a-n-a-n.

3 Q Mr. Buchanan by whom are you employed?

4 A G.P.U. Nuclear Corporation.

5 Q And how long have you been employed by G.P.U. Nuclear?

6 A Slightly over three years.

7 Q What is your current capacity with G.P.U.?

8 A The Manager of Site Engineering.

9 Q And how long have you held that position?

10 A Since the date of organization which is September 1,

11 1982.

12 Q Mr. Buchanan, are you familiar with the Start-up and
13 Test Department?

14 A Yes, I am.

15 Q And do you know a member of the Gaithersburg; Start-up
16 and Test Department, Dwight Walker?

17 A Yes, I do.

18 Q Do you know how Dwight Walker became an alternate on
19 the Start-up and Test Department?

20 A Dwight Walker came to work in Site Engineering sometime
21 during the fall of '82 as the Supervisor of my Facility and
22 Liaison Group. Sometime I think after the first of the year,
23 although I'm not sure of the date, Ed Kitler approached me with
24 the general topic that he was the Chairman of the Test Working
25 Group, and his alternate was Rick Parks, and he wanted to know

1 if I had any concerns with Rick Parks being the alternate
2 because Rick is in another department, and his availability
3 would also depend upon his workload from his own supervisor,
4 and did I think it would make better sense to have Dwight
5 Walker be the alternate since he is qualified, and since he
6 works for me I control his time.

7 And I said it sounds like a good idea, why don't we
8 do that. That way I have better management control. So then,
9 as I recall it, I got into a discussion concerning who gets to
10 make that decision, who has that responsibility. Ed felt since
11 he was the Chairman he had the responsibility, and I said fine,
12 you have my agreement, let's go do it. I saw no reason to
13 bother Thiesing with it, the subject is something Thiesing did
14 not need to get involved with, and it seemed like a pretty
15 minor thing to be doing.

16 Q Would it be accurate then to state the decision was
17 made between you and Mr. Kitler?

18 A That's correct.

19 Q Did Mr. Kitler discuss Mr. Walker's qualifications
20 for the position?

21 A Yes, he did. I questioned Ed as to what were his
22 qualifications and what are the requirements. He had gotten
23 from Dwight, in anticipation of my question, his resume,
24 and Ed and I sat down and looked it over and compared it
25 with the rules, and I was satisfied that he had

1 the prerequisites.

2 Q Did this replacement of Mr. Parks by Mr. Walker in any
3 way reflect upon Mr. Parks' performance?

4 A No. It was just wanting to be in a better position
5 of controlling the man's time.

6 Q Did Mr. Parks ever complain to you about he being
7 replaced by Dwight Walker?

8 A Rick Parks never talked to me about it.

9 Q Are you aware of Mr. Parks' allegation in his
10 affidavit that Mr. Thiesing was responsible for it?

11 A I remember reading that.

12 Q To the best of your knowledge, is that an inaccurate
13 statement by Mr. Parks?

14 A It is inaccurate.

15 Q Mr. Buchanan, are you familiar with the Modifications
16 Control Group?

17 A Yes, I am.

18 Q What is the Modifications Control Group?

19 A It's a group within Site Operations that is respon-
20 sible for handling the paperwork associated with Plant
21 modifications. They receive ECM's from the engineering group,
22 get them approved, get them issued to the Construction or
23 Maintenance Department. Then upon completion of the job, they
24 take care of the software associated with getting the modifica-
25 tion turned over to Operations.

ATTACHMENT B

TAB 22

Bechtel North American Power Corporation

Engineers — Constructors

15740 Shady Grove Road
Gaithersburg, Maryland 20877-1454
301-258-3000



CONFIDENTIAL

March 4, 1983

Mr. Robert C. Arnold, President
GPU Nuclear Corporation
Post Office Box 480
Route 441 South
Middletown, Pennsylvania 17057

Dear Mr. Arnold:

In accordance with Mr. Kanga's instructions, enclosed you will find signed copies of two (2) sets of notes to record an interview on March 3, 1983, with Rose Rittle. One set of notes is from James Troebliker and the other set is mine.

The tone of the interview was set by Mr. Kanga by indicating to Ms. Rittle that she was not being investigated and that we were soliciting details from her with regard to L. P. King's possible conflict of interest.

Ms. Rittle was open and cooperative with us.

I am available to discuss these notes with you at your convenience.

Yours truly,

Larry G. Santee
Manager, Program Controls

LGS:ms

Enclosures (2)

cc: B. K. Kanga (w/encl.)
J. Troebliker (w/encl.)

C O N F I D E N T I A L

Inter-Office Memorandum

GPU Nuclear

Date March 3, 1983

Subject INVESTIGATION REGARDING L. P. KING
INTERVIEW WITH ROSE RITTLE

To Memorandum for Record

83/053

Location TMI - Human Resources

On this date, Larry Santee of Bechtel and myself interviewed Rose Rittle, a Bechtel employee who was involved in the typing of resumes under the direction of Rich Parks. During the summer of 1982, Ms. Rittle was requested by Mr. Parks to type resumes of a number of individuals on the stationary of Quiltec. Ms. Rittle was instructed to type these resumes during non-working hours and to keep everything she was doing very confidential.

Ms. Rittle remembers typing at least 25 resumes, most of which were resumes of GPU employees. She specifically remembers typing the resumes of Larry King, Ben Slone, Mike Herlihly, Ted Rekart, Bill Austin, William Henry, III and Ken Lionarons. Ms. Rittle was paid \$75 for typing the resumes. She believes it took her 15 to 20 hours and that she did it using company equipment.

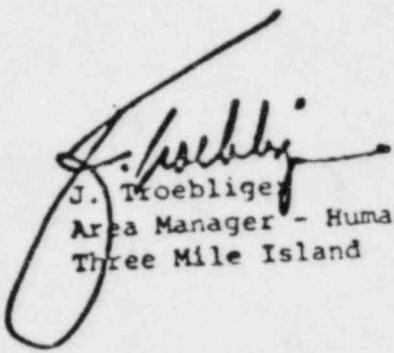
Ms. Rittle stated that she did not view this as unusual at that particular time because she had been asked in the past to type resumes. She said that she had notified no one of this assignment until yesterday, March 2, 1983 when she asked Bill Austin what was happening with the Larry King situation.

Bill stated that it involved Larry's efforts with an outside consulting firm, Quiltec, that may compromise his effectiveness with GPU. Ms. Rittle stated to Bill that she had remembered typing resumes on Quiltec stationary and that Bill's resume was one of the many that she typed. Rose stated that Bill Austin was quite surprised and stated to her that during 1982 Ben Slone had requested a copy of Bill's resume but Bill was uncertain of the disposition of it.

Both Larry Santee and I recorded a written transcript of Ms. Rittle's answers to our questions and had her sign both written transcripts at the end of our interview. We also requested that if Ms. Rittle had any resumes of the individuals mentioned or had any stationary belonging to Quiltec, if she would please provide that information to Larry Santee.

Investigation Regarding L. P. King
Interview with Rose Rittle
Page 2

It is the writer's opinion that Ms. Rittle made an error in judgement when she was asked to type the resumes, specifically her utilization of company property. Before Ms. Rittle was interviewed by Larry Santee and myself, Mr. Kanga gave Ms. Rittle a brief overview of the Larry King situation and stated to her that we were seeking her cooperation. I believe it was quite clear that we were not investigating Ms. Rittle, but solely seeking her cooperation on information relative to a fair and conclusive evaluation relative to Mr. King.



J. Troebli
Area Manager - Human Resources
Three Mile Island

JT/plr

ROBERT ARNOLD STATEMENT

9/12/83

1 Q Did you take any further steps to determine
2 the motives or the specific finding of Thiesing's
3 investigation of King's association with Quiltec?

4 A I did not at that time pursue directly Dr.
5 Thiesing's motive or timing. I did agree sometime at
6 probably the week of February 28th with Charles
7 Sanford, S-a-n-f-o-r-d, vice president at Bechtel's
8 Gathersburg office, to have an internal auditor come,
9 of Bechtel come to the site and interview people on
10 Bechtel's payroll who might have been involved with it.

11 I'm not quite sure in my mind right now to what
12 extent that was set up in the first half of March
13 and to what extent it transpired subsequent to March
14 23 when Mr. Parks made his allegations, but my March 21
15 memo indicates that prior to March 15th the auditor
16 was at the site.

17 I did encourage Mr. Sanford for Bechtel to pursue
18 Dr. Thiesing's role in developing this information and
19 the appropriateness of how he handled that.

20 Again, I felt that the involvement of Mr. King
21 with Quiltec had to be dealt with on its merits and
22 while I might disagree with how Dr. Thiesing handled
23 the information he had had relating to that issue, it
24 didn't change the accountability that Mr. King had for
25 whatever his conduct had been.

Arnold

1 Q Did you ever get any feedback from the
2 auditor's investigation concerning King's association
3 with Quiltec?

4 A Well, as I indicated in my March 21, '83 memo,
5 I was told on March 15th orally by Mr. Kanga that the
6 internal auditor was told by Mr. Richard Parks, P-a-r-k-s,
7 that Parks had arranged for about a dozen resumes to
8 be typed at the request of Mr. King.

9 I don't recall receiving any other information
10 about King's involvement with Quiltec as a result of
11 the auditor's efforts.

12 Q Did you make any independent check of the
13 timing or circumstances under which the GPU Nuclear
14 employees left GPU Nuclear to go to work for Quiltec?

15 A Yes. I had Mr. Wilson and the Human Resources
16 people develop the chronology of, the timing of the
17 chronology of the last few weeks of employment of each
18 of several former GPUH employees that went to work
19 with Quiltec.

20 That information, along with information that I
21 received from Pollack, led me to conclude that at least
22 Mr. Rekart and Mr. Herlihy, H-e-r-l-i-h-y, had been
23 recruited from GPUH by Bechtel.

24 The recruitment of them had involved finding or
25 obtaining employment for them at LILCO's Shoreham plant

1 individuals of organizations with which we typically do
2 business or individuals within other utility companies.

3 We instructed our recruiting agencies and
4 conducted the advertising campaigns that we did
5 directly to make known generally within the industry
6 of the needs that we had, of the interests that we had,
7 and anyone that approached us, we would generally talk
8 with them.

9 However, if they fell within the category of
10 current employment that you describe in your question,
11 it was my policy to gain their permission to let their
12 management know that we were discussing with them the
13 possible offer of employment before proceeding and
14 making such an offer.

15 Q Did you communicate that policy by
16 memorandum?

17 A My recollection is that in '60 or early '61
18 we did put out such instructions in writing.

19 Q At a meeting that you had with King you
20 inquired about Parks' activities in behalf of Quiltec
21 to have some resumes prepared.

22 Do you recall that inquiry?

23 A Yes, sir.

24 Q What was your purpose in inquiring about
25 Parks' activities?

1 A My purpose was to probe the completeness and
2 straightforwardness of the response I had gotten from
3 King on March 9.

4 Q Can you explain that?

5 A In the letter that I got from Mr. King, dated
6 March 9th, which is attachment C to the March 21 memo
7 to file, Mr. King states in response to question No. 16
8 as to what management employees of GPU or Bechtel were
9 aware of his involvement with Quiltec, that only two
10 Bechtel employees had such knowledge, a Mr. Jubin,
11 J-u-b-i-n, and Mr. Kitler, K-i-t-l-e-r.

12 As indicated in my March 21 memo, on March 15
13 I was told about the activities on the part of Mr.
14 Parks in having resumes typed. I was surprised at the
15 lack of identification of Mr. Parks in Mr. King's
16 memo and my recollection is now, now is that I talked
17 to Mr. King about that in our meeting of March 9
18 because I thought I had his response in front of me
19 and was reading it and asked the question at that time.

20 That would not be consistent with the March 21
21 memo that I didn't know about until March 15th, and
22 absent perhaps being able to go back and look further
23 at when some information was available to me, I can't
24 be sure that my recollection is correct rather than the
25 memo of March 21's account of it.

1 But I did remember querying Mr. King as to
2 Mr. Parks' involvement with him and whether Parks also
3 knew about his, King's, involvement with Quiltec.

4 I certainly remember talking with him about it
5 for the purpose of seeing whether I should be confident
6 that Mr. King had been completely straightforward with
7 me.

8 I think the explanation may be that I knew
9 about Mr. Parks' involvement in developing the resumes
10 as a result of the information I got on attachment
11 12 to my memo of March 21, and as I think about it back
12 I think that the sequence was that Ms. Riddle had
13 identified on March 3 that she had prepared the resumes
14 at the request of Mr. Parks, had been paid the \$75
15 for doing it, but that I didn't have any information
16 on Mr. Parks' account of that incident or of that
17 activity on Riddle's part, but that I was aware
18 subsequent to March 4 of the preparation by Ms. Riddle
19 of the resumes and that had been at the request of Mr.
20 Parks and that Ms. Riddle had been paid for it.

21 I think that formed the basis for my questioning
22 of Mr. King as to what Mr. Parks' involvement or
23 knowledge had been and which I think took place on or
24 during our meeting of March 9.

25 I think that subsequent to that and after having

Arnold

received what was really a very unsatisfactory answer from Mr. King on March 9, I got the information as to what Parks told the Bechtel people had been the circumstances and which indicated a clearer, more active involvement by King in arranging or having knowledge of the arranging of the preparation of the resumes

than he had acknowledged to me on March 9th and tended to strengthen my conclusion that I had made the right decision in deciding to terminate him.

Q I realize that there is a brief description of what King said to you on March 9th about his association with the preparation of those resumes, but could you describe, as best you can, what he told you in response to your question?

A Well, let me say that as I discuss the response to question 10, I generally had the impression that, well, let me say Mr. King was specifically saying that he wasn't really sure who knew and who didn't know what, and he was very reluctant to identify anybody by name, that he didn't positively know hard knowledge of the issue.

The sense that I got from the conversation was that he thought there were others within the organization that very well might have known and probably did know, but that he was reluctant to name them.

1 While I don't recall his specific words, my sense
2 in asking about Parks was that he said Parks might have
3 known. He wasn't really sure. He was very noncommittal
4 about it when I initially brought up Mr. Parks' name,
5 and then I told him about Mr. Parks having arranged with
6 Riddle to do the typing and to have the resumes prepared
7 and then he acknowledged that that had taken place and
8 that he really didn't know, or let me say it a little
9 differently, that he acknowledged that he had paid Parks
10 some money for having some resumes prepared, but that he
11 had done that basically at Sloane's instructions and he
12 didn't really know the circumstances or the specifics.
13 He was just accommodating Mr. Sloane in providing a
14 Quiltec check to Parks.

15 He also said, as I recall, that he didn't realize
16 it was a Bechtel secretary that had done the typing.
17 He had thought it was a friend of Parks who had done
18 the typing, a friend not associated with either of our
19 companies that had done the typing.

20 Generally, a very noncommittal, nonspecific response
21 from him.

22 Q In his responses to you King indicated
23 that he served as an advisor to Quiltec and implied
24 that he had no active role in running the company.

25 Assuming that that were true, would that have

ATTACHMENT C

499 Parks. Affidavit. pp 51, 52. #83.00, Tab 24.

500 Ibid. pp 51, 52. #83.00, Tab 24.

501 Ibid. p 52. #83.00, Tab 24.

Chwastyk. pp 156-159.

502 Parks. Affidavit. p 52. #83.00, Tab 24.

503 Ibid. p 52. #83.00, Tab 24.

504 Ibid. p 52. #83.00, Tab 24.

505 Ibid. p 52. #83.00, Tab 24.

506 Ibid, p 52. #83.00, Tab 24.

507 Ibid. p 52. #83.00, Tab 24.

08 Ibid. p 52. #83.00, Tab 24.

09 Chwastyk. 8/4/83. p 156.

510 Ibid. p 156.

511 Chwastyk. p 156.

Chwastyk. IOM 4200-83-147 to Kitler. Replacement of Parks on TWG (for polar crane project) by Marshall. 3/17/83. #48.00, Tab 112.

512 Chwastyk. 8/4/83. pp 156, 157.

513 Ibid. p 157.

514 Kanga. 7/25/83. pp 73, 74.

515 Ibid. pp 73-74.

516 Ibid. pp 73-74.

Chwastyk. 8/4/83. p 157.

517 Kanga. 7/25/83. p 73.

518 Ibid. p 73.

Chwastyk. IOM to Kitler. 3/17/83. #48.00, Tab 112.

519 Kanga. 7/25/83. p 74.

Chwastyk. 8/4/83. p 157.

Chwastyk. IOM to Kitler. 3/17/83. p 1. #48.00, Tab 112.

520 Kanga. 7/25/83. p 74.

Chwastyk. 8/4/83. p 157.

Chwastyk. IOM to Kitler. 3/17/83. p 1. #48.00, Tab 112.

521 Kanga. 7/25/83. p 74.

Chwastyk. 8/4/83. p 157.

522 Kanga. 7/25/83. p 74.

Chwastyk. 8/4/83. p 157.

PARKS AFFIDAVIT

On Thursday, March 17, at 8:00 a.m., Mr. Kanga had me in for a two-and-a-half-hour meeting about the letter I had delivered the day before. I informed him that to date I still had not received a satisfactory response to my concerns on the polar crane; that I still had serious problems with it; and that I was being pressured to approve the load test.

Kanga said his door was always open if I felt intimidated or threatened, but that any further reassurances would be up to Mr. Sanford. Nevertheless, he warned me not to go public with my concerns. He said that once before things had gotten much worse for an employee who had tried that and was "humiliated." He said it could be as long as two weeks before any decision was reached on me about Quiltec. He volunteered that it was unfortunate, but other individuals like myself had come to Bechtel without any indoctrination. He said that was a problem he would have to resolve. He said that he had to send a report to Bob Arnold describing how the issue with me had been handled; that I personally had put Bechtel in a bad light with a client; and that as a result I stood a good chance of getting fired.

Kanga did, however, promise that the Licensing and QA departments would submit written responses to satisfy my concerns on the polar crane. I told him that failure to ensure reviews required by the QA Manual and applicable standards, procedures and regulations constituted an unreviewed safety question. I said this was especially true, since we worked at TMI Unit II and had told the world that public health and safety were our top priority. Mr. Kanga was becoming openly nervous and agitated. We finished the meeting.

Around 1:00 p.m. that day, I informed Joe Chwastyk that I could not approve the polar crane load test, because of the serious violations that permeated the program. I added that I did not find anything technically wrong with how the procedure was written for what it covered. But it did not address the major issues raised in the review cycle. We had just been going through the motions.

Around 3:30 p.m. that afternoon, I was called back to B. Kanga's office for a meeting with him and Chwastyk. The subject of the meeting was IOM 4200-83-147, dated that day from J. Chwastyk. It stated that effective immediately Mr. Marshall would replace me as the primary SO member on the TWG only for the Reactor Building Polar Crane Project. The memorandum continued,

This action is considered appropriate for the present situation and is not considered a negative reflection of Mr. Park's ability, conduct or performance.

The designation of Mr. Marshall should not adversely affect the Polar Crane Refurbishment Schedule.

At the meeting Kanga asked me twice to agree that my removal was not an act of intimidation. I responded, "In my opinion, the intent is well-defined."

They were too late. As I left the room I told Mr. Kanga that I had already signed the procedure. I had reconsidered after speaking with Chwastyk earlier and signed with the proviso "based on technical content of the procedure only." I took this step because I did not want to pursue a personal vendetta about the program, and the approval in this form was consistent with the substance of my earlier position. "Approval based on technical content" is a generic term. It does not imply either that all required topics have been covered, or that QA requirements have been followed.

JOSF~H CHWASTYK STATEMENT

1 Q I'll show you another document, our document number
2 339, the second page which purports to be a letter from you to
3 Mr. Kitler dated 3/17/83. The subject matter is TWG Member-
4 ship.

5 I'll ask you to take a look at it, please.

6 A I remember the letter.

7 Q What is the letter? Would you identify it, please.

8 A The letter is the TWG membership and it basically
9 removes Mr. Parks as the primary Site Ops. Department Repre-
10 sentative to the TWG for the Polar Crane Project.

11 Q Would you tell us how that letter came to be docu-
12 ment 339?

13 A Well, Mr. Parks came to me with some concerns he thought
14 he had in relation to the reactor building Polar Crane. We
15 discussed those concerns and I was able to put them to rest.

16 Mr. Parks then suggested that he may be so close to
17 this project that he is no longer to distinguish real from
18 perceived problems. I suggested then a possible means of
19 getting out of that was removing him from that project. He
20 thought it was a good idea, so I told him, Okay, I'll draft
21 up the letter and we'll go over it and make sure you agree
22 with it and I'll put it out.

23 I did that, drafted up a letter. He reviewed it and
24 may even have made some comments or changes to it, I don't
25 remember, but this was as a result of that.

1 Q "That" being document 339?

2 A Yes. Now, during this time because of Mr. Parks'
3 involvement at that time directly with Mr. Kanga I thought
4 to call Mr. Kanga and inform him of this. I did that, and
5 Mr. Kanga asked me to come down and he wanted to review the
6 letter first.

7 I did that, and he decided he wanted to talk to Mr.
8 Parks, so he called Mr. Parks down and we went over the letter.
9 That's when I signed the document with both Mr. Parks and Mr.
10 Kanga right there. As a matter of fact, this is the meeting
11 that I referred to earlier that as Mr. Parks left he made the
12 comment about signing something for technical content only.

13 Q Did you sign letter number 339 in the presence of
14 Mr. Kanga and Mr. Parks?

15 A Yes, I did.

16 Q Did Mr. Kanga question Mr. Parks concerning this
17 letter?

18 A Yes, he did.

19 Q Do you recall what Mr. Kanga's questions of Mr.
20 Parks were?

21 A He asked Mr. Parks if Mr. Parks agreed with it, and
22 Mr. Parks made some off the wall comment. He implied to me,
23 and I think Mr. Kanga took it the same way, that he agreed.

24 He also discussed the letter with Mr. Parks and
25 tried to make sure that Mr. Parks knew that it was not any

1 kind of a reprimand of any sort of any kind of discriminatory
2 action. Mr. Parks, like I said, was very quiet throughout
3 the meeting. When Mr. Kanga asked him directly if he agreed
4 and does he understand, Mr. Parks said something I thought
5 at the time was strange, but again my impression was that he
6 did agree with it. That's when I signed it.

7 Q Was Mr. Kanga informed either by you or by Mr. Parks
8 as to what triggered this letter?

9 A Yes, I talked to Mr. Kanga prior to Mr. Parks getting
10 there and we discussed that.

11 Q Mr. Kanga was informed as to Mr. Parks' concerns?

12 A Yes.

13 Q I'll ask you to turn to page 52 of document 83,
14 please. The first paragraph begins, "Around 1:00 p.m. that
15 day I informed Joe Chwastyk that I could not approve the Polar
16 Crane load test because of the serious violations that perme-
17 ated the program."

18 By "that day", he was referring to March 17th. Do
19 you recall Mr. Parks making such a statement to you on March
20 the 17th?

21 A I think that's the subject of which I related to
22 earlier about he had some problems and we sat down and went
23 through each problem individually. I don't know what the last
24 two sentences mean.

25 Q Again, you're not aware of what he -- "ne" meaning

1 Mr. Parks -- means by approved based on technical content
2 only?

3 A No.

4 Q I'm going to show you two documents, number 8 and
5 number 9, each of which purports to be a Unit Work Instruction
6 dealing with the Underhead Characterization. I would ask you
7 to look at those documents, please.

8 A (Witness complies.)

9 Q Having looked at documents 8 and 9, do you recall
10 whether you saw documents 8 and 9 in the past?

11 A I vaguely recall 8. Yes, I vaguely recall both,
12 and I signed both.

13 Q Document number 8, is that the document you indi-
14 cated you recall?

15 A Yes.

16 Q Document number 8 was signed by SRG on 2/16/83 and
17 signed by QC on 2/24/83, is that correct?

18 A That's correct.

19 Q Is that your signature on document 8?

20 A Yes, it is.

21 Q Is there any date by your signature?

22 A No, there isn't.

23 Q Mr. Parks makes the allegation that this document,
24 document 8, was reviewed by PORC SRG prior to it being sub-
25 mitted to Site Operations or the other review groups.

BAHMAN KANGA STATEMENT

1 if I could. And that is an allegation raised by Mr. Parks that he was
2 replaced as a primary TWG member for the Polar Crane and the sequence of
3 events that occurred there. So what I would ask you is first of all, was
4 Mr. Parks replaced as primary TWG member?

5 A. That is correct.

6 Q. And how did that come about?

7 A. Okay, look at the memo that was written by Mr. Chwastyk and
8 also there is a memo written or a letter written by Mr. Parks. Also, there
9 is a Parks' letter or memo, I believe it is to Sanford, same date: See
10 Exhibits A and B hereto, which are copies of a letter from Mr. Parks to
11 Mr. Sandford dated March 16, 1983 and a memorandum from Mr. Chwastyk, to Mr.
12 Kitler dated March 17, 1983. I had a telephone call from Joe Chwastyk, and
13 he mentioned to me that he felt that Parks was quite nervous that day and
14 that he felt that it would be helpful to Parks if Parks was replaced as
15 primary member for TWG for the Polar Crane project only, which would reduce
16 pressure on Parks.

17 I asked him if he had discussed the memo or that action with
18 Parks and he told me that he had, and I asked him to bring the memo and
19 discuss it with me in some detail. Joe Chwastyk came to my office and I
20 looked over the memo that he had written but not signed. I asked him if in
21 his discussion with Parks, Parks had indicated any objection to
22 the memo. Chwastyk told me that he had not, that Parks in effect welcomed
23 that memo, and I asked Chwastyk if he had made clear to Parks that this was
24 not in any way a reflection on his performance, and that we were not in any
25 way downgrading Mr. Parks.

26 And Chwastyk told me that yes, Mr. Parks understood

1 that. The reason why I was concerned about Mr. Chwastyk's
2 action was that that very morning, Mr. Parks had reviewed with
3 me a letter that he had written to Mr. Sandford dated March 16,
4 and which he had brought to my secretary on March 16 and
5 requested me not to send it to Mr. Sandford until Mr. Parks had
6 a chance to talk to me. So I had a discussion that very
7 morning with Mr. Parks regarding his concerns on how he was
8 being treated and regarding his concerns on intimidation.

9 I did not want the memo from Mr. Chwastyk to be
10 interpreted as an act of intimidation. After discussing this
11 with Mr. Chwastyk, I asked Mr. Parks to come to my office and I
12 went over the same items as I described to you earlier to make
13 sure that Mr. Parks understood that this was not a reflection
14 on his performance, that it was not a step down for him and
15 that it was, I wanted to be a hundred percent sure, that it was
16 not interpreted as an act of intimidation. Mr. Parks basically
17 affirmed my understanding that he understood what the memo said
18 and that it was not being interpreted by Mr. Parks as being
19 intimidation or a reflection on his work.

20 After that, Mr. Chwastyk signed that memo in the
21 presence of Mr. Parks.

22 Q. What was Mr. Parks' response to you as to whether he
23 was in agreement with his removal as primary member on TWG on
24 the Polar Crane?

25 A. Firstly, he's not removed from TWG, all this does is
26

1 to replace him from a primary member to essentially a secondary
2 member. This is not removing him from TWG, it is just for that
3 Polar Crane project. In the discussions that we had, Mr. Parks
4 gave me to understand that he understood the memo and he never
5 indicated to me any concern regarding the memo, never indicated
6 to me in that particular meeting that he would consider that as
7 a reflection on his performance or an act of intimidation by
8 either Mr. Chwastyk or myself.

9 Q. Moving from that area, I'd like to ask you a question
10 concerning the underhead characterization if I could, and in
11 particular whether or not Mr. Devine, Jack Devine and/or Mr.
12 Thiesing discussed with you their, Mr. Devine's preliminary
13 assumptions concerning the character of radiation that the
14 reactor vessel had and a memo that Mr. Devine issued indicating
15 that the preliminary results indicate 30 times more radiation
16 than the initial assumptions?

17 A. Yes, they did.

18 Q. Did they discuss with you, either Mr. Devine or Mr.
19 Thiesing or both, that they would continue with Quick Scan to
20 verify these preliminary assumptions and do additional
21 analysis?

22 A. Yes, they did. In fact, they had written a memo to
23 me which was discussed among Mr. Thiesing, Mr. Devine and
24 myself, and essentially I approved their recommendation to
25 continue the work as far as the removal of the head was
26 concerned on the original premise but to perform an evaluation

TAB 112

Inter-Office Memorandum

te: 3/17/83

Subject: TWG Membership

GPU Nuclear

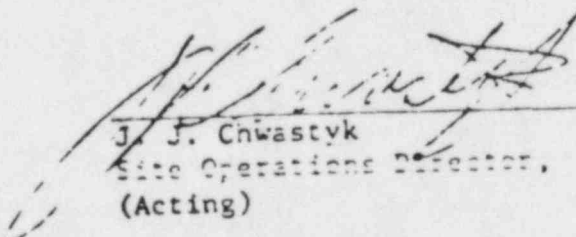
cc: E. Kitler, Supervisor of Start Up
and Test

Location: 4200-83-147
IMI/U-2 Site Operations
Bldg. 222

Effective immediately, please consider W. Marshall as the Primary Site Operations Department representative to the TWG. Mr. Marshall will replace Mr. R. Parks as the primary member only for the Reactor Building Polar Crane project.

This action is considered appropriate for the present situation and is not considered a negative reflection of Mr. Park's ability, conduct or performance.

The designation of Mr. Marshall should not adversely affect the Polar Crane Refurbishment Schedule.


J. J. Chwastyk
Site Operations Director,
(Acting)

JJC/bjs

cc: W. Marshall
R. Parks
J. Barton
B. Kanga
File