ATTACHMENT 2

September 1985

COMANCHE PEAK STEAM ELECTRIC STATION: ALLEGED CLIMATE OF INTIMIDATION SUPPLEMENTARY REPORT

EG&G Idaho, Inc.

IDAHO NATIONAL ENGINEERING LABORATORY

DEPARTMENT OF ENERGY

IDAHO OPERATIONS OFFICE UNDER CONTRACT DE-AC07-76IDO1570

COMANCHE PEAK STEAM ELECTRIC STATION: ALLEGED CLIMATE OF INTIMIDATION

SUPPLEMENTARY REPORT

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ABSTRACT

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The U.S. Nuclear Regulatory Commission (NRC) contracted with EG&G Idaho, Inc., to continue its investigation of the work climate at Comanche Peak Steam Electric Station (CPSES), and to update its opinion concerning intimidation of Quality Assurance/Quality Control (QA/QC) personnel based on data reviewed from September 1984 through August 1985. The resulting expert opinion, developed by the same Study Team that produced the original EG&G report, is presented in this supplement. The original EG&G report, dated September 1984, is entitled "Comanche Peak Steam Electric Station: Alleged Climate of Intimidation."

The Study Team assessed depositions, prefiled testimony, hearing transcripts, NRC reports, survey data, and other available information. Using a broadened definition of intimidation, they formulated opinions on individual incidents of intimidation and the overall work climate.

Key findings were that some incidents of intimidation

did, in fact, occur. The overall pattern of incidents, including the numbers of alleged incidents, allegers, and named intimidators, does not support a conclusion that a climate of intimidation exists, or existed, at CPSES. Certain management practices, while not constituting intimidation, may have negatively impacted performance of QA/QC personnel.

This investigation resulted in findings that support the conclusions in the original report. In the judgment of the Study Team, the data reviewed do not indicate that a climate of intimidation did, or does, exist at Comanche Peak Steam Electric Station.

COMANCHE PEAK STEAM ELECTRIC STATION:
ALLEGED CLIMATE OF INTIMIDATION

SUPPLEMENTARY REPORT

1. INTRODUCTION

An EG&G Idaho initial report entitled "Comanche Peak Steam Electric Station: Alleged Climate of Intimidation," on the issue of intimidation of Quality Assurance/Quality Control (QA/QC) personnel at Comanche Peak was written by this Study Team in September 1984.
Conclusions in that report were based on information that had been received and analyzed by the team up to that time. This report is presented as a supplement to that initial report and is based upon the incorporation of all information reviewed prior to September 1985.

The numbering of the sections in this Supplementary Report generally follows the outline of the original report to facilitate the comparison of related sections between the two reports. This report is not intended to stand alone. It is a supplement to the original report and must be read in conjunction with it.

This Supplementary Report is divided into a number of sections as follows. Section 2 presents listings of the

additional data received and reviewed since preparation of the original report. Section 3 presents the analyses based on the additional data and includes conclusions based on the entire data set. This section is divided into subsections dealing with transcribed data, the 1979 and 1983 surveys, NRC Reports of Investigation and Inquiry, and observations concerning management practices at CPSES. Section 4 presents a summary of the findings and the conclusions reached in the study. Appendix A is an analysis by David G. Bowers of the 1979 Management Review Board Survey, and Appendix B presents brief summaries of the alleged incidents of intimidation.

2. DATA SOURCES

Information in addition to that used in preparing the original report was received and used in arriving at the supplementary conclusions presented here. This information is listed in the following sections.

2.1 Depositions

Depositions of two individuals were received and reviewed after September 1984:

1. H. Brooks Griffin, NRC Investigator
2. Evert Mouser, former QC Supervisor, Coatings

2.2 Survey Data

No additional survey data were obtained. However, an additional analysis of both the substance and pattern of responses was performed on the 1979 Management Review Board Survey data by David G. Bowers, the same expert in survey methodology who previously analyzed the 1983 QA/QC Questionnaire Survey.

2.3 NRC Reports

Several additional NRC Office of Investigation Reports of Investigation and Reports of Inquiry have been reviewed

since September 1984. They are listed below:

Inquiry Reports	Investigation Reports
Q4-82-0005	4-82-012
Q4-82-0011	4-83-005
Q4-82-025	4-83-006
Q4-83-009	4-83-011
Q4-83-011	4-83-016
Q4-83-021	4-84-008
Q4-83-022	4-84-012
Q4-83-023	
Q4-83-025	
Q4-83-026	
Q4-84-001	
Q4-84-007	
Q4-84-011	
Q4-84-014	
Q4-84-016	
Q4-84-037	
Q4-84-046	

2.4 Prefiled Testimony

Prefiled testimony from the following nineteen individuals was also received and reviewed:

1. Antonio Vega
2. Gregory Bennetzen
3. Neil Britton

4. William Darby

5,6,7. Liford, Johnson, and Callicut

8. Richard Simpson

9. Gordon Purdy

10. Robert Duncan

11,12. James Zwahr and Daniel Wilterding

13. Ronald McBee

14. Alan Justice

15. James Brown

16. Witness "F"

17. Samuel Hoggard

18. Arthur London

19. David Ethridge

2.5 Hearing Transcripts

The following listed transcripts of hearing testimony were received and reviewed:

DATE	PAGES	SUBJECT
9/09/84	14,403-14,771	In Camera Session: Witness "F"
9/10/84	14,772-15,171	M. Spence, A. Vega
9/11/84	15,172-15,573	Vega (contd), B. Clements, C. Thomas Brandt
9/12/84	15,574-15,951	Brandt (contd), I. Goldstein
9/12/84	15,952-16,389	Brandt-Travelers, G. Purdy
9/14/84	16,390-16,647	Tolson, Downey on Travelers
9/18/84	16,648-17,008	Tolson, Vega, Brandt (contd), C. Allen

9/19/84	17,009-17,740	Allen, Brandt (contd), Liford, Calicutt, etc.
9/20/84	17,741-18,158	G. Bennetzen, D. Chapman, Duncan
9/21/84	18,159-18,504	In Camera: two witnesses
10/01/84	18,505-19,028	D. Hunnicutt, J. Norris, T. Matheny
10/02/84	19,029-19,262	Norris (contd), G. Purdy
11/19-84	19,586-19,846	O. B. Cannon: J. Lipinsky
11/20/84	19,847-20,179	Lipinsky (resumed), R. Roth
11/21/84	20,180-20,450	Roth (contd)
11/26/84	20,451-20,774	G. Chaney - Handwriting Expert, Brandt
11/27/84	20,775-21,091	Brandt (resumed)
11/28/84	21,192-21,405	Brandt (resumed)
12/03/84	21,406-21,748	Brandt (resumed), Roth (resumed)
12/04/84	21,749-22,006	J. Lipinsky
12/05/84	22,007-22,254	Lipinsky (resumed)
1/07/85	23,112-23,422	J. Norris (resumed)
1/08/85	23,423-23,734	J. Norris (resumed)
1/09/85	23,735-24,032	J. Norris (resumed), R. Trallo

2.6 Other Information

Two additional documents received in response to NRC requests to Texas Utilities for specific information were reviewed.

1. The Responses of Texas Utilities to the NRC's Questions Concerning the 1979 and 1983 Surveys of

Quality Control Inspectors at Comanche Peak.

2. A series of organizational charts and a summary table (dated 2-16-85, 2 pages) indicating the company, organizational unit, and position of alleged intimidators.

The Atomic Safety Licensing Board (ASLB) Memorandum (Concerning Welding Issues) LBP-84-54, dated December 18, 1984, was also reviewed.

3. ANALYSIS

The analysis which follows presents updated findings of the Study Team. The conclusions reached are the result of a review of the materials received subsequent to the drafting of the original report, analysis of those materials, and integration of that analysis with the work previously done.

The final conclusions in this report are based on the several different types of data available for analysis. Of central interest was whether the analyses of different types of data (e.g., depositions, survey data, etc.) led to the same conclusions. Similarity among conclusions derived from different data sources would enhance the reliability of the overall conclusions.

The following sections of this report deal successively with data from the depositions, prefiled testimony, and hearing transcripts; survey data; and NRC investigation and inquiry reports.

In addition to dealing with intimidation, the report also addresses other climate factors affecting the quality of work at CPSES that would not be classified as "intimidating." These are discussed in Section 3.4 of this report which deals with managerial practices.

3.1 Analysis Using Depositions, Prefiled Testimony, and Hearing Transcripts

3.1.1 Organization Climate

This section analyzes the extent to which a climate of intimidation existed at CPSES. (This concept is defined in detail in Section 1.3 of the original report, pages 3-5.) In making this determination the Study Team not only noted the frequency and distribution of incidents of alleged intimidation, but also made some judgments regarding the likely impact of the incidents on individuals in the work setting other than the alleger.

In the original report, the Study Team defined intimidation as a process involving three major components: (1) the incident, action, or statement inducing the effect, (2) the resulting feeling or emotion experienced by the recipient, and (3) the ensuing action on the part of the recipient who, because of fear, is forced into behavior that otherwise would be rejected, or is deterred from actions that would otherwise be taken. Intimidation was, therefore, treated as an incident, action, or statement that caused an employee to act contrary to, or refrain from acting in compliance with, written procedures.

In this supplementary report, intimidation is defined as incidents, statements, or other actions that are reasonably

likely to influence employees to refrain from performing work in accordance with requirements or identifying or reporting quality discrepancies or safety problems. The Study Team has thus broadened their definition of intimidation to include the impact the incident could be expected to have had on reasonable individuals in the work setting who experienced, witnessed, or became aware of the event, regardless of their actual responses to the alleged intimidation.

3.1.2 Extent of Allegations of Intimication

At the time of the original report, September 1984, the analysis, and therefore the conclusions reached, was based on the data the Study Team had analyzed up to that point in time. This Supplementary Report Incorporates analysis of all information reviewed through August 1985.

This section analyzes the extent of allegations of intimidation based on depositions, prefiled testimony, and hearing transcripts.

The depositions analyzed were taken from 83 individuals up to September 1984 and from two additional individuals after September. A summary list of these data sources is shown in Table 1 of this section.

In addition to the depositions, 19 individuals provided data in the form of prefiled testimony, and

numerous individuals provided testimony at the hearing (as listed in Sections 2.4 and 2.5). For the most part, these individuals supplemented or repeated information provided in the depositions. In some cases these were new data-providers elaborating on incidents identified in the depositions.

TABLE 1. SUMMARY OF DATA PROVIDERS FOR DEPOSITIONS

Total Data Providers: 86

QA/QC Managers: 17
- David Chapman
- Gordon Purdy
- Mark Welch
- Thomas Brandt
- James Patton
- G. S. Keeley
- Richard Kahler
- Robert Spangler
- Billy Ray Snellgrove
- Ronald Tolson
- Robert Siever
- Dwight Woodyard
- Antonio Vega
- Jack Stanford
- Billie Ray Clements
- Myron Krisher
- Evert Mouser

Non-QA/QC Managers: 24
- James Callicut
- Freddie Leon Powers
- Perry Brittain
- Richard Camp
- Jimmie Green
- Thomas Locke
- Ray Yockey
- Joe George
- Robert Messerley
- John Blixt
- Louis Fikar
- Doug Frankum
- Michael Spence
- Ronald Dempsey
- Kenneth Liford
- Fred Coleman
- John Hallford
- Charles Tedder
- Hollis Hutchinson
- Carmen Baker
- Michael Hall
- John R. Johnson
- Samuel Hoggard
- Boyce Grier

NRC Personnel: 4
- James Cummins
- Robert Taylor
- Frank Hawkins
- H. Brooks Griffin

QA/QC Employees: 26
- Darlene Stiner
- Meddie Gregory
- Jack Pitts
- Joe Krolak
- Debra Anderson
- Susan Spencer
- Albert Boren
- Houston Gunn
- Deborah Anderson
- Sue Ann Neumeyer
- Curtis Biggs
- Greg Fanning
- Randy Whitman
- James Uehlein
- William Dunham
- Jimmie McClain
- Wayne Mansfield
- Larry Wilkerson
- Kenneth Whitehead
- Marvin Coates
- Linda Barnes
- Michael Rhodes
- William Simms
- Melvin Todd
- Sherry Burns
- Cecil Manning

Craft Employees: 15
- Henry Stiner
- Mark Wells
- Kenneth Luken
- Lester Smith
- James Scarbrough
- David Ethridge
- Ivan Vogelsang
- Dennis Culton
- Bobby Murray
- Stanley Miles
- Gary Krishnan
- Ronnie Johnson
- James Keller
- Larry Howard
- Witness "F"

The Study Team reviewed the specific incidents of reported intimidation. This analysis had two purposes: (1) to discern how the incidents were dispersed over time, and (2) to identify which instances appeared to be "legitimate" incidents of intimidation according to the definition used in the study.

Analysis of the incidents over time indicates that 31 incidents were reported, spanning the period from 1979 to 1984. (See Appendix B, Table B1, for a complete listing.) The dispersion is shown in Table 2.

TABLE 2. DISPERSION OF INCIDENTS OVER TIME

Year	Number of Incidents	
1979	1	
1980	0	
1981	4	(3 from one alleger)
1982	6	(5 from one alleger)
1983	11	(5 from one alleger)
1984	9	(6 from two allegers)

Table 2 shows the reported incidents were concentrated from 1982 through 1984. In 1981, four incidents were reported by two individuals, one of whom provided three reports. In 1982, five of the six reported incidents were also from the same individual who reported three incidents

in 1981. So, of these ten incidents in 1981 and 1982, eight involve that one individual. As a result, for the years 1979 through 1982, only four different individuals alleged intimidation.

In 1983, 11 incidents were reported by a total of five allegers. Of these 11 incidents, five were reported by one alleger. In 1984, nine incidents were reported. Six of these incidents were reported by two allegers. One of the nine incidents involved the termination of three individuals, and another involved eight electrical inspectors wearing nit-picker T-shirts. Over the period 1979 through 1984, the 31 incidents were reported by a total of 13 individuals, excluding the eight T-shirt-wearing inspectors. Overall, two-thirds of the incidents (21 of the 31) were reported by only four individuals.

In using these data to assess the CPSES climate, the Study Team noted the number of QA/QC personnel employed at the site from 1979 to 1984 was between 150 and 250 at any one time. If approximately 200 inspectors had worked 250 days each year doing an average of two inspections per day over the six-year period, then 600,000 opportunities were available for conflict or intimidation to occur. Given the normal pressures created by scheduling and economic considerations, the natural conflicts between craft and QA/QC, and some inevitable

personality clashes, there was a large number of opportunities for problematic interactions during the course of the work.

Viewing the situation at CPSES from this perspective, the Study Team concluded the small number of incidents, the limited number of allegers, and the few alleged intimidators are insufficient to establish the existence of a climate of intimidation. Relatively few incidents of intimidation were reported over the six-year period involved, with a substantial majority of these incidents being alleged by four individuals.

The September 1984 report indicated relatively few allegations were made and relatively few intimidators were named. Having now reviewed all the transcribed material, the conclusions of the Study Team do not differ from those original conclusions. The findings fail to substantiate the existence of widespread intimidation at CPSES.

Nevertheless, the small number of reported incidents cannot eliminate the possibility of such a climate. Depending on the nature of the incidents reported, a conclusion that an intimidating climate existed could be reached even with few reported instances. If, for example, the reported incidents were perceived to be of a serious nature, and widespread knowledge of the events existed, and that knowledge persisted for some time in the organization,

then a conclusion of intimidation might be reached based on a relatively small number of reported events. This approach to the analysis of climate is considered further in Section 3.2.2 of this report.

3.1.3 Review of Specific Incidents of Intimidation

The analysis presented thus far has made no judgment regarding the validity of the allegations themselves. Each alleged incident was simply counted without judging whether it actually involved intimidation. The Study Team subsequently reviewed each incident according to its definition of intimidation and made a judgment as to its validity. These judgments were based on: (1) whether the data supported a clear conclusion of what actually occurred, (2) the extent to which a clear threat was made or implied, and (3) the likelihood that a reasonable person directly or indirectly involved would have been intimidated in the given situation. A conclusion concerning any one specific incident, in and of itself, would not lead to any conclusion about the climate of intimidation. The overall pattern of the incidents must be considered to assess the climate.

Analysis of the 31 incidents led to nine incidents being judged as cases of probable intimidation. These are listed in Table 3. In performing this analysis, all available data were used, including depositions, prefiled

testimony, OI reports, hearing transcripts, and the ASLB Memorandum on welding issues. Each incident evaluated is listed and briefly discussed in Appendix B.

TABLE 3. DISPERSION OF INCIDENTS JUDGED AS INTIMIDATING

Year	Number of Incidents	Description
1979	0	---------
1980	0	---------
1981	1	D. Stiner - Weave Welding
1982	1	D. Stiner - Circuit Breaker Article
1983	6	Dunham - Intimidation of Coatings Inspectors - Nitpicking
		Dunham - Termination
		Neumeyer - Liner Plate Traveler
		Allen - ALARA and DCA Reviews
		Allen - Detergent on Painted Surface
		Allen - Cigarette Filters
1984	1	T-Shirt Incident

When judgments about the legitimacy of the incidents are made, the case against a climate of intimidation is even stronger. Few incidents, in the opinion of the Study Team, could be classified as "intimidating." Of the incidents included as probable acts of intimidation, some were not clear or were counted only because they fit narrowly or

technically within the definition of intimidation. These cases were, however, included in the listing above. The nine incidents involve four different allegers, excluding the T-Shirt Incident which involved some eight "targets" of potentially intimidating actions.

All of these incidents do not deserve equal weight as significant events in creating a possible climate of intimidation. The most significant incidents, based on their potential to influence many employees, were the Stiner Circuit Breaker Article Incident, the two Dunham related incidents, and the T-Shirt Incident.

3.1.4 Conclusions On Intimidation Incidents

Review of the available information regarding the number of alleged incidents of intimidation and their dispersion over time, and review of the specific incidents themselves, resulted in no change in the original findings of the Study Team. The data do not support a conclusion that a climate of intimidation exists, or existed, at CPSES.

3.2 Analysis of the 1979 Management Review Board Survey

The original report included a content analysis of a subset of questions from the 1979 Management Review Board Survey. Additional analysis has now been performed of both the substance and the pattern of responses on an expanded set of questions from that survey. This analysis was completed by the same expert in survey methodology who previously analyzed the 1983 QA/QC Questionnaire Survey, and the results are summarized below. The complete analysis is attached to this report as Appendix A.

3.2.1 1979 Management Review Board Survey

To provide a more complete picture of findings from the 1979 survey, a more extended analysis of the data was undertaken. In addition to the five survey questions to which responses were analyzed in the earlier report, 21 additional questions were included representing all questions which seemed likely to contain information relevant to the issue of intimidation. Appendix A, pages A-18 through A-24, contains a complete listing of these questions. All 120 respondents were included. Their responses were content analyzed into code categories developed from initial inspection of a sample of questionnaires. As in the case of the 1983 questionnaire data, the responses were analyzed to determine whether either their pattern or substance reflected possible

intimidation.

Concerning the pattern of response, the principal findings were:

- The nonresponse rate was quite low; on the average, 92% of the respondents gave usable responses to any particular question.
- The overall pattern was positive; 78% of the responses were positive (favorable).
- Although the average favorability was quite high, negative opinions were submitted. Approximately one response in four was negative.
- The most negative responses were to the most threatening items, not the reverse (which one might expect from a pattern of intimidation).

The conclusion, therefore, is the pattern of response did not suggest any noticeable amount of intimidation. The substance of response was another matter, however.

Since the 1979 survey, unlike that in 1983, was not focused upon the issue of intimidation, one would expect most of the responses would refer to issues other than that. Indeed, such was the case. In general, on those items to which the average response was least positive, the concerns were primarily those of money, lack of formal preparation, or "other" (a mixture of miscellaneous concerns and complaints).

Perhaps an exception to this general pattern occurs for Question 2A ("How would you rate management support of QC?"): 28% responded marginal or inadequate.

Information which perhaps explains or amplifies these responses on Question 2A came from an analysis of all written comments conceivably relating to intimidation. Thirty-eight relevant comments of this type were submitted by 32 persons. An analysis of these specific comments indicated the acts of intimidation came almost exclusively from craft/construction, not from QA/QC management or supervision. A minority of these 32 persons also perceived QA/QC management had too often acquiesced to craft/construction, rather than backed QC.

3.2.2 Comparison of 1979 and 1983 Survey Results

Consideration of both the 1979 and 1983 survey results jointly presents some interesting similarities and contrasts. In neither year did the pattern of response reflect any indication of widespread feelings of intimidation. Indications of intimidation occurred with any frequency only for the substance of response, and only for the 1979 survey. Significantly, that survey involved face-to-face interviews, rather than anonymous questionnaires, and was generally focused upon issues other than intimidation. If pervasive intimidation had occurred

throughout this five-year period, it should have been more in evidence in 1983 than in 1979, simply because the 1983 format made it easier and safer to respond. This was not the case, however.

The most straightforward explanation is intimidation in 1979 was felt to various degrees by a minority of persons, and it came almost exclusively from craft/construction. A minority of that minority perceived management too often acquiesced to craft/construction. This explanation would suggest, however, that the problems had all but disappeared by 1983.

The reason for this change can only be speculated. Perhaps programs and actions by management to correct and prevent such instances had the necessary effect. Perhaps a shift occurred in the nature of persons doing craft/construction work over the period, e.g., from rough-and-tumble concrete workers to more skilled crafts, such as electricians.

Previously, in Section 3.1.2, the possibility was raised that even though few reported instances of intimidating events were found, a climate of intimidation still might have been present. A plausible argument is that even a few cases of intimidation widely known throughout the organization might be sufficient to create a climate in which people felt intimidated. If this were the

case, then one would expect to find pattern responses indicating feelings of intimidation on the part of the survey respondents and, particularly in the 1983 survey, knowledge on the part of a significant number of respondents of intimidating incidents involving either themselves or others. This was not the case, however. A minority of the 1979 survey respondents indicated knowledge of intimidating events, and by 1983, even with a survey format under which intimidation issues could be addressed easily, such statements had all but disappeared. Perhaps more significantly, neither survey revealed pattern responses among participants that would indicate they felt intimidated.

These two sets of survey data, taken together, reflect no indication of a pervasive climate of intimidation on the part of, or fostered by, management or supervision. At most, less than 10% of the respondents perceive management often did not take action on intimidation by craft/construction strongly enough or soon enough.

3.3 OI Investigation and Inquiry Reports

In addition to the three NRC Office of Investigation reports discussed in the initial EG&G Idaho report, seven investigation reports and seventeen inquiry reports have since been reviewed. Most of the events triggering these investigations and inquiries were touched on, and in some cases covered in depth, in the depositions, prefiled testimony, and hearing records. Some useful information related to the issue of intimidation was gleaned from these reports.

3.3.1 Inquiry Reports

Seventeen inquiry reports were examined by the Study Team. Of these, 15 reports were not useful in evaluating the climate. Of the remaining two reports, one described an instance where the climate was not intimidating, and one described an instance where it was. The 15 inquiry reports that were not useful and their subject matter were as follows:

Q4-82-0005	Alleged Improper Weld Practices
Q4-82-0011	Alleged Improper Termination of a QC Inspector
Q4-82-025	Alleged Radiographic Irregularities
Q4-83-009	Alleged Inadequacies in As-Built QC Inspection Program
Q4-83-011	Alleged Poor Construction Practices

Q4-83-022	Alleged Improper Implementation of Technical Procedures
Q4-83-023	Alleged Poor Management Practices
Q4-83-025	Alleged QA Supervisor Discouraging the Use of Nonconformance Reports
Q4-83-026	Alleged Deficiencies in Coatings Program
Q4-84-007	Alleged Violations of Construction Practices
Q4-84-011	Alleged Intimidation of a BOP Inspector
Q4-84-014	Preserved Testimony of a Witness
Q4-84-016	Alleged Improper Construction Practices
Q4-84-037	Alleged Threat of "Blackballing" a Former QC Inspector
Q4-84-046	Suspected Harassment of a QC Inspector

The two inquiry reports which contained useful information for evaluating whether a climate of intimidation existed at CPSES are discussed below.

Q4-83-021, Alleged Intimidation of Electrical Craft Personnel. A former Electrician's Helper contacted the NRC with several concerns regarding practices in the CPSES Electrical Department. His primary concern related to the lack of training provided to Electrical Department personnel for fabricating and installing electrical conduit hangers. These personnel are alleged to be required to read a 400- to 500-page technical manual, S-0910, the first day on the job and sign a form stating have read and understand Manual S-0910. A forty-hour training course is

given on the manual. However, since reading the manual is voluntary, unpaid, and off-duty, the alleger estimated that less than 3% attend the course and that most electrical personnel have inadequate working knowledge of S-0910.

The alleged intimidating aspects of this training problem are the TUGCO Work Sampling Group considers referring to S-0910 as idle time, so electrical supervisors tell the electricians they should not get caught reading the manual, thereby discouraging its use.

Another concern was poor morale of electrical craft workers resulting from threats of firing and harassment by the Electrical Department superintendent. As a result of this, some electrical personnel were alleged to have commented that they might commit acts of electrical equipment sabotage.

These allegations, although not specific to QA/QC, indicate a climate of intimidation may have existed in the Electrical Construction Department. In the opinion of the Study Team, the inquiry did not delve into the specific allegations sufficiently to confirm or deny their veracity. However, the alleger sounded credible. Even though the facts did not support a conclusion of intimidation, the allegations point to poor supervisory skills and management practices in training, work sampling, and personnel relations.

Q4-84-001, Alleged Improper Construction Practices. Several specific allegations were contained in this report. In two instances, one involving disassembling pump couplings without authorization and the other involving work on an air accumulator without the proper paperwork, a QC inspector caught the violations and stopped the work until the proper paperwork was obtained. These incidents are examples of QC acting independently, with appropriate authority, and without being intimidated.

Two other incidents alleged that workers were threatened with dismissal if they did not meet production demands, and were told they were not to come back to work the next day if they did not finish a specific job. In neither instance did anyone lose his job. In the final incident, the alleger refused to violate procedures in signing off maintenance cards despite being instructed to do so by his superior. It was not alleged that the supervisor made any threats in this situation, and no adverse action was taken against the employee. In the judgment of the Study Team, these three events do not support a climate of intimidation.

3.3.2 Investigation Reports

The NRC investigation reports generally went into considerably more depth than did the inquiry reports.

These reports are discussed briefly below, together with the conclusions drawn in each.

4-82-012, Alleged Electrical Deficiencies. A former Electrical Department worker identified four areas of alleged deficiencies, which had purportedly occurred in the 1980 time frame:

- Using a 750 MCM lug that was drilled to accept a 1000 MCM cable in the circulating water system motor control center.
- Using the wrong size lug on a terminal block in the Reactor No. 1 Auxiliary Building.
- Using the wrong size lugs on terminal blocks in the Reactor No. 1 Switch Gear Room.
- Improper cable splicing and wiring to the wrong side of lugs in the annunciator logic panels of the Reactor No. 1 Control Room.

The NRC Senior Resident Inspector personally inspected the above areas in August 1982 and found no improper wiring in any of them.

No implications for intimidation were apparent to the study team in this report.

4-83-005, Alleged Improper Construction Practices. A former CPSES supervisor provided allegations of improper practices and procedural violations in several areas of

mechanical and civil construction, including unauthorized cutting of rebar, overtensioning main steam line, using a cutting torch on hanger material, and failing to purge stainless steel piping during welding.

Ten individuals alleged to have knowledge of improper rebar cutting provided sworn statements to the effect that all rebar cuts were made with proper authorization.

Four witnesses testified that the relocation of the main steam line was done under the direction of engineers to remove stress on the line.

Six witnesses testified to having no knowledge of improper use of cutting torches on hangers. Two witnesses testified to the scrapping of a hanger due to procedural violation, and with replacing the deficient hanger with an acceptable hanger.

In addition, a former employee, who came forth in January 1984 after reading of these allegations in the newspaper, refuted several of the allegations as reported in the Inquiry Report Q4-84-007.

In the opinion of the study team these allegations did not involve intimidation and did not support the existence of a climate of intimidation.

4-83-006, Alleged Falsification of QC Records. A QC inspector alleged that a signature had been forged on an NCR that had previously been an issue before the ASLB.

The former QC inspector who had identified the nonconforming condition and a former Quality Assurance supervisor were interviewed. They testified that the NCR had been handled appropriately, and the investigation disclosed no evidence of forged signatures.

This report contained insufficient evidence to indicate intimidation or a climate of intimidation.

4-83-011, Suspected Falsification of QC Records. A QC inspector alleged that records of some of his inspections had been altered or falsified. He suspected this had been done by reviewing supervisors. Of three other inspectors interviewed, two indicated that this particular inspector was deficient in completing his reports, and one stated that he had heard rumors that other inspection personnel regularly helped this inspector by completing his paperwork. This paperwork situation was confirmed by a document control center clerk, while two clerks testified they did not know of any falsifications of inspector checklists. QA/QC supervision and management denied knowledge of alteration or falsification of coatings records.

Upon reinterviewing, the investigator found that the alleger had been unaware that earlier inspection practices permitted records to be copied. The alleger knew that making copies was now a violation of procedures, and he had assumed that reviewing supervisors must have improperly made the copies he originally alleged had been changed.

Much of the testimony developed in these interviews related to various other allegations that have been considered in other portions of this supplement and in the original Study Team report.

As it relates specifically to the issue of intimidation, the study team concluded the data do not indicate intimidation nor support the possible existence of a climate of intimidation.

4-83-016, Alleged Discrimination Against QC Inspectors
The allegation was that a QC lead inspector was fired for for complaining in a meeting about intimidation by a supervisor and about lack of support for QC inspectors, and that this termination had an intimidating effect on the QC coatings inspectors.

Much testimony and many depositions relate to this particular event with a clear difference of opinion between management and the alleger as to the reason for his termination.

The Study Team understands that the alleger attended a meeting of QC inspectors and supervision, the purpose of which was to have two coatings experts explain proposed technical changes in coatings specifications and procedures. During the course of the meeting, the alleger apparently spoke out regarding intimidation of inspectors and lack of support from supervisors. It is not clear to what extent these or other comments by the alleger were disruptive. However, it is not evident that any management action was taken during the meeting to respond to the alleger, to control his purported "disruptiveness," or to keep the meeting to its expressed purpose, if the alleger was in fact being disruptive.

Subsequent to the meeting a counseling session was arranged with the alleger to discuss his behavior in the the meeting. During this session the alleger's employment was terminated, either by his quitting or being fired--it is not clear which. This termination was considered by most of the QC coatings inspectors who attended the meeting to result from the alleger's complaining about intimidation during the meeting.

Consequently, the Study Team concluded that the incident could have had an intimidating effect on the coatings inspectors by leaving them with the impression that complaining about lack of management support for

inspectors could result in termination.

4-84-008, Alleged Intimidation of QC Personnel. This report covered several instances of intimidation alleged by a QC inspector. The specific allegations were that the inspector was subjected to a series of eight meetings intended to intimidate and discourage her in performing her work following her appearance before the ASLB.

Many management actions alleged to discriminate against her were, in fact, attempts to accommodate her special needs and produce a more agreeable work situation for her. The company provided information on maternity benefits six weeks before her ASLB appearance as well as approximately six weeks thereafter. Soon after her ASLB appearance, the alleger's work duties were changed from field to shop inspections. An office was arranged near the Fabrication Shop, and special arrangements were made for parking and transportation to and from her work area. Finally, at her request, she was allowed to terminate by a reduction in force rather than take a leave of absence, in order to be eligible for unemployment compensation.

The Study Team feels that CPSES management gave her more than normal consideration, perhaps because of the alleger's appearance before the ASLB. These incidents do not support the existence of a climate of intimidation.

4-84-012, Alleged Intimidation of Welding Crews. An ironworker alleged that an ironworker superintendent regularly threatened and intimidated his subordinates. Interviews with fifteen individuals determined that seven either had personal knowledge of intimidation or knew of this superintendent's reputation as an intimidator.

In a specific incident investigated, the superintendent allegedly forced the ironworker to chip concrete in a room in which safety system welding was being performed. The study team feels this was probably a case of intimidation of the ironworker by the superintendent.

Regarding intimidation of QA/QC personnel, a QC inspector, when advised of the problem, shut the welding job down until the chipping was stopped and the dust settled. This shutdown occurred despite its going against the orders of a superintendent known to many as an intimidator. This incident, while showing intimidation of a craftsperson, also is another example of a QC inspector acting independently within the authority of his role and without being intimidated by the crafts.

3.3.3 Conclusions From Investigation and Inquiry Reports

Analysis of 24 NRC Reports of Inquiry and Investigation resulted in four incidents providing some

indication of intimidation in both craft and QA/QC at CPSES. One of these incidents (4-83-016) involved the termination of a lead QC inspector, and one (4-84-008) consisted of a series of events involving one QC inspector. These two events are included in Table 3 as the Dunham Termination and the D. Stiner-Circuit Breaker Article Incidents. The third report (4-84-012) dealt with a possible climate of intimidation in a craft department; it was also an example of a QC inspector acting independently and using the authority of his role. A fourth report (Q4-83-021) dealt with craft intimidation by craft supervision, but did not provide enough information to determine whether intimidation actually existed.

Of the 27 inquiries and investigations, including the three used in the original report, a preponderance of allegations of intimidation were unsupported. In the extensive investigations and interviews, a large number, approximately 202, of present and past employees refuted the charges of the allegers, and approximately 48 supported the allegations. Of the 48, nearly half were craft who supported the claims of intimidation of craft by craft supervision. Hence, approximately 26 individuals, among a total of about 250 persons, supported claims of intimidation of QA/QC personnel. Fourteen of the 26 were related to two specific incidents, the Dunham-Nitpicking and Dunham-Termination Incidents. Seven claims were unsubstantiated by persons other than the alleger, leaving

five substantiated claims.

Based on this analysis of OI reports, there did not appear to be widespread allegations, numerous incidents, a pervasive atmosphere of fear, or other evidence of a climate of intimidation at CPSES. The analysis of these additional NRC Office of Investigation Reports of Inquiry and Investigation resulted in no findings that modify the conclusions of the Study Team in their original report.

3.4 Observations On Managerial Practices

The Study Team stated in its discussion of management style in the September 1984 report (Section 3.3, pages 37-40) that many factors contribute to individual performance on the job. Intimidation, or the existence of an "intimidating climate," is only one such factor.

One problem that the Study Team faced in making its assessment was that organizations are complex mechanisms of interacting systems, procedures, and behaviors. This makes it illogical to assume any one factor can be isolated in drawing cause-and-effect conclusions. In the study of organizational phenomena, often the best that can be done is to show certain outcomes seem to be correlated with (occur in conjunction with) the presence of certain other factors. This correlative relationship does not prove the existence of any causal relationship, nor can the direction of any possible causation be inferred from mere correlation alone.

Inspection of data from all the sources led the Study Team to conclude factors contributing to the performance of QA/QC personnel at CPSES included the following items: (1) their job skills and competencies, (2) their motivation, (3) levels of compensation and perceived equity of the compensation system, (4) structure of the organization including the effective management of

interfaces with other functions or departments, (5) establishing and communicating clear standards for performance, and (6) supervisory style. The Study Team feels that management issues such as these probably had an impact on the performance of work at CPSES.

3.4.1 Job Skills and Competencies

The data indicate a number of inspectors may have felt inadequately prepared to perform their work. The inadequacy of training and the poor communication between inspectors and management were clearly identified as areas of concern in the 1979 survey. In response to a question on "problems at CPSES," technical training of inspectors was the second most mentioned item. In addition, in both the 1979 and 1983 surveys, some concerns were expressed about the lack of feedback on job performance. To the extent that inadequate job training and infrequent feedback on performance are characteristic of a job, they can inhibit the development of job skills with a resulting impact on performance.

3.4.2 Clear Performance Standards

Closely related to the concerns involving job skills and competencies are issues regarding performance standards. In the surveys, depositions, and OI Reports, concerns surfaced about the clarity of standards, the usefulness of some procedures, the frequent changes to procedures, and the seeming lack of consistent application

of these procedures. Procedures are obviously designed to accomplish certain results. However, when coupled with consistent concerns about communication, the procedures, or their usefulness and purposes, may not have been fully understood. Some evidence is reflected in the depositions and some of the alleged "intimidating incidents" identified, that inspectors were asked to perform operations without fully understanding what was expected and why certain procedures were to be performed in particular ways.

3.4.3 Compensation and Wage Inequities

The perception that inequities exist in the administration of wage and salary programs and the general dissatisfaction with compensation could have a demotivating effect on individuals and on the subsequent performance of their jobs. This issue was the most mentioned item on the 1979 survey. Complaints about wages were also dominant in the 1983 survey. As an example, one complaint was inspectors working for different employers on the site received different wages.

3.4.4 Interface Management

No doubt, multiple, complex, and difficult interfaces must be effectively managed in the CPSES environment. Some concern exists that these interfaces are a continual source of conflict and problems. These resulting difficulties are accepted as given in the situation, as a reality to be

lived with rather than effectively managed.

The entire body of the reviewed data points to difficulties in the QC-craft interface. Complaints about lack of cooperation, inability of management to deal adequately with these difficulties, perceived lack of QC management support of inspectors, problems with "personalities," and the impression that the craft personnel don't "understand the role of QC," all lead to the conclusion that the interface management processes are not very effective. The interface between craft and QC is viewed as an adversarial one. Intimidation internal to the craft organization may have exacerbated the situation. While the nature of the working relationship must include checks and reviews by QC of work performed by craft, little attention is devoted to improving or managing the interface to foster a more cooperative working relationship. Managing these interfaces requires special skills and sensitivity, an ability to see the whole, and an understanding of the various nuances of personal and technical issues that arise.

Another factor influencing the interface between craft and QA/QC is the role and working relationships of the NRC which create some ambiguity in managing interfaces among the relevant parties. While little specific information exists on this subject, some comments in the depositions and surveys indicate the NRC is a primary player and does

influence the overall working relationship between craft and QC. As an example, responses to the 1979 survey indicate management was not clear concerning which issues the employees could legitimately communicate to the NRC, or whether they, in fact, encouraged such communication.

The Study Team concluded from the transcribed material and surveys that CPSES has significant interface management problems in the QA/QC area, and that these problems are worthy of attention.

3.4.5 Supervisory Style

Another factor affecting performance is supervisory style. Some discussion of its importance is included in the September 1984 report. One of the factors discussed briefly was management philosophy, and how the prevailing philosophy might influence organizational behavior. The style of supervision at CPSES is related to issues identified above in this section of the report.

The supervisory methods used at CPSES reflect an operating philosophy commonly found in construction and utility organizations. These organizations are often impersonal, viewing good human relations as unnecessary, and in fact, maintaining that such practices simply impede the rapid accomplishment of tasks. Loyalty and compliance are considered important requirements for effective functioning, and unquestioned loyalty and compliance are,

therefore, often demanded by such organizations. However, because of the impersonality and lack of management attention to the human dimension, these organizations often generate mistrust, suspicion, and lack of management credibility. Accounts of management actions found in the transcribed material support the conclusion that this description is fairly characteristic of CPSES management. The Study Team classified a number of events as intimidating, not because of management's intent to threaten people or cause them to act inappropriately, but because of the way they handled a situation or communicated with those involved (e.g., the Dunham Termination Incident, the T-Shirt Incident, and the D. Stiner Circuit Breaker Article Incident).

The degree to which this style of supervision affects the work performance of any individual at CPSES is difficult to assess. This style can negatively influence morale and motivation, and these factors may affect job outcomes.

In summary, a number of managerial practices exist which, while not intimidating, may not have been conducive to good job performance. The job skills of inspectors may have been negatively impacted by poor communication with their supervisors, inadequacy in their job training, and infrequent feedback on performance. Some evidence exists that inspectors were asked to perform tasks without

adequately understanding what was expected or why the work was performed. Difficulties in dealing with crafts were apparently accepted rather than managed, with little attention devoted to fostering more cooperative working relationships. A lack of clarity prevailed regarding appropriate employee interfaces with the NRC. The general lack of supervisory attention to the human dimension may have generated mistrust, suspicion, and some lack of credibility with employees.

4. SUMMARY AND CONCLUSIONS

Information reviewed by the EG&G Study Team after issuing their September 1984 report, "Comanche Peak Steam Electric Station: Alleged Climate of Intimidation," formed the data base for this supplemental report. These data included depositions, prefiled testimony, hearing transcripts, NRC Office of Investigation reports, survey data, and other information. The data base continued to be limited, primarily reflecting information from allegers, managers, and related individuals focusing on specific incidents of intimidation. A summary of the findings and conclusions follows.

The number of alleged incidents of intimidation, allegers, and named intimidators was small. Approximately 31 incidents, reported by 13 individuals, occurred between 1979 and 1984. A substantial majority were concentrated between 1982 and 1984. Four individuals accounted for 21 of the 31 allegations. Of the 31 alleged incidents, only nine were judged by the Study Team to meet the intimidation criteria. This is well within the number of events that would be expected to occur even under the best of circumstances. This small number of incidents, while not eliminating the possibility that a climate of intimidation existed, falls short of positively establishing that such a climate did exist at CPSES.

Analysis of the 1979 survey, when coupled with that done on the 1983 survey, showed no indication of a pervasive climate of intimidation. Neither the pattern nor content analyses of the survey data indicated widespread knowledge of intimidation. At most, less than 10% of the respondents to the 1979 survey perceived management did not take action on intimidation by craft/construction strongly enough, soon enough.

NRC Office of Investigation reports indicated 26 people supported claims of intimidation of QA/QC personnel and 202 individuals refuted such claims. Analysis of these reports did reveal some isolated cases of intimidation, but resulted in no findings that would modify the conclusions of the Study Team in their original report.

If a climate of intimidation had existed at CPSES, one would expect to find knowledge on the part of a significant proportion of employees of intimidating incidents involving either themselves or others. Furthermore, one would expect those making allegations to relate multiple valid examples of such incidents. Analysis of the transcribed material, surveys, and OI reports demonstrated that this was not the case, and failed to support the conclusion that a climate of intimidation existed at CPSES.

Some management practices at CPSES, while not

constituting intimidation, were of concern to the Study Team because they are generally not conducive to good job performance. Poor communications, inadequacy of training and infrequent feedback on performance were found. Inadequate attention was devoted to cooperation between QA/QC and craft, and a lack of clarity regarding appropriate employee interfaces with the NRC was observed. This general lack of attention to the human dimension may have created mistrust and suspicion of management by some employees and reduced management credibility.

Overall, a good deal of compatibility was found in what the data from different sources indicated. Analysis of data from the transcribed material, analysis of both the content and pattern of responses from the 1979 and 1983 surveys, analysis of the NRC Office of Investigation Reports of Investigation and Inquiry, and the analysis of the individual incidents alleged to have been intimidating all lead essentially to the same conclusion.

These findings taken together lead the Study Team to reaffirm the conclusions reached in their September 1984 report. In the judgment of the Study Team the reviewed data do not indicate a climate of intimidation did, or does, exist at CPSES.

APPENDIX A

1979 MANAGEMENT REVIEW BOARD SURVEY ANALYSIS

by DAVID G. BOWERS

REPORT TO EG&G Idaho, Inc.

by

David G. Bowers, Ph.D.
Research Scientist

February 18, 1985

INTRODUCTION

This report contains an analysis of the responses of 120 persons to a survey entitled *QC Personnel Interview*. The survey was conducted by interview in 1979. As in the case of the 1983 survey results, previously analyzed, the focus of the analysis was whether there was evidence in either the substance or the pattern of responses of the respondents having been intimidated. The same definition of intimidation used in the earlier report was used in the present report.

As before, the possible patterns for which the data were examined were the following:

- A pattern of "false positiveness," that is, an overwhelmingly positive response pattern in combination with one or more of the following:
  - An almost total absence of negative opinion.
  - A high non-response rate.
  - More positive responses to more threatening items.
  - Skipping of items, especially more threatening items.
  - Uniform intra-respondent positiveness.

- A pattern of prevalent negative opinion.

- A clustering of negative opinion within a significant minority of persons.

- Specific comments suggesting intimidation.

ANALYSIS AND RESULTS

The interview protocol employed in the survey contained 39 questions or sub-questions. Thirteen of these were omitted from the present analysis on the grounds that they were largely irrelevant to the issue at hand (e.g., "Have you ever seen an organization chart of QC at CPSES?"):

Questions 1a, b, c, e, f, g, h, 3a, b, c, d, e, and h.

The remaining 26 questions were those focused upon in the present analysis. Although there was some minor variation in wording across various sets of protocols, the wording of the questions was for the most part identical. Some of the questions were entirely open-ended; many posed closed-ended (i.e., fixed alternative) response categories. However, all of the latter presented space for comments of elaboration.

In the remainder of this section of the report, the patterns listed above will be examined one by one.

Overall Response Pattern

Table 1 presents basic response pattern data for the 26 questions. The data show that the overall pattern was, indeed, overwhelmingly positive. On the average, 78.5% of the responses were positive (favorable).

Prevalence of Negative Opinion

Although the average favorability was quite high, the frequency of negative opinion was quite varied and ranged from a low of 4% to a high of 84%.

Non-Response Rate

On the average, 92% of the respondents responded to any particular question. The range of response rate was from a low of 77% to a high of 100%.

Table 1

RESPONSE RATES TO ITEMS

Question	No. Responding	Percent (of 120)	Proportion of Negative Responses
1. D1	106	88	--
D2	120	100	.78
I	114	95	.25
J	115	96	.37
K	117	98	.12
L	98	82	.09
M	107	89	.12
2. A	94	78	.30
B	111	93	.12
C	111	93	.10
D	114	95	.07
E	104	87	.05
F	112	93	.12
G	113	94	.19
3. F	108	90	.10
G	110	92	.17
4. A	115	96	.08
B	117	98	.22
C	118	98	.16
D	113	94	.18
E	112	93	.13
F	117	98	.44
5. A	120	100	.84
B	106	88	.51
C	92	77	.04
D	108	90	.04

More Positive Responses to More Threatening Items

As with the 1983 survey, the questions were classified into Most, Medium, and Least Threatening categories. Table 2 presents basic data by category and indicates which questions were classified into which category. Comparisons to the 1983 data are included; however, it should be noted that the 1979 High Threat items approximate, in severity or tenor of wording, those of the 1983 Medium Threat category. (See Table 3.)

The principal points are the following:

° There is a lower favorability response percentage to High Threat items in 1979 than in 1983.

° There is a lower favorability response percentage to Low Threat items in 1979 than in 1983.

° The Medium Threat percentages favorable are almost identical in the two years.

° The overall average favorability response percentage was 78.5 (versus 77.5 for 1983).

° The conclusion, therefore, is that the two years were about the same, with 1979 showing a greater tendency to respond favorably in the Medium Threat category.

° The different format of the 1979 survey (i.e., often open-ended, versus 1983 all closed-ended) led to a greater prevalence of neutrally-worded questions. The greatest prevalence of neutrally-worded questions was in the High Threat category (88%), next highest in the Medium Threat category (64%), lowest in the Low Threat category (43). Positive-wordedness runs in the reverse direction (0, 27%, 57%).

Table 2

1979 SURVEY -
QUESTIONS CLASSIFIED BY LEVEL OF THREAT

Most Threatening Items	N Favorable	
ID2	26	
2A	50	
2B	95	
2C	93	7 worded neutrally
2D	103	1 worded negatively
2E	40	
2F	62	
4C	94	
Mean	= 70.3	
Percent (of 120)	= 58.5	

Medium Threatening Items	N Favorable	
IL	74	
IM	80	
2G	84	
4A	102	
4B	30	7 worded neutrally
4D	94	1 worded negatively
4E	92	3 worded positively
4F	59	
5A	91	
5B	49	
5C	86	
Mean	= 81	
Percent (of 120)	= 67.5	

Least Threatening Items	N Favorable	
ID1.	(Inapplicable)	
Ii	73	
Ij	68	
Ik	82	3 worded neutrally
3F	102	4 worded positively
3G	74	
5D	50	
Mean	= 74.8	
Percent (of 120)	= 62.3	

Comparison to 1983

	1979	1983
Most Threatening	58.5%	79.5%
Medium Threatening	67.5	66.7
Least Threatening	62.3	83.3

Table 3

ITEMS BY DEGREE OF THREAT

1979 Versus 1983

1979	1983
1979 - High Threat	**1983 - High Threat**
ID2. What makes you feel uncomfortable about your job?	2. Do you feel reluctant to approach your immediate supervisor with technical problems?
2a. How would you rate management support of QC?	4. Do you feel that upper management (QA) has a hostile or uncomplimentary attitude toward inspection personnel?
2b. How would you rate your supervisor's support of your activities?	9. Do you feel that by procedure you are denied discretion, sound judgement, or common sense decisions in your inspections?
2c. How well does your supervisor answer your questions?	10. Do you feel that supervision denies you discretion, sound judgement, or common sense decisions in your inspections?
2d. How available is your supervisor when you need him?	11. Do you feel Craft constantly conceals defects from QC?
2e. How effectively does your supervisor advise you of your inspection activities in a timely manner?	12. Do you feel that Craft purposely attempts to violate procedures and design documents?
2f. How well does construction provide you with advance notification of activities which require QC support?	14. Have you ever been told by your current supervisor to accept something you felt was rejectable or questionable?
4c. Do you feel you are subject to excessive pressures from construction while doing your inspections?	
1979 - Medium Threat	**1983 - Medium Threat**
I1. How adequate is the scope of your inspections? (explain whether it is too small, too much, ..etc.)	1. Do you feel that your immediate supervisor (not lead) provides adequate technical backing to your inspection decisions?
Im. How adequate is the emphasis on activities that have a bearing on quality? (Too much, or not enough) (Are we looking at activities that are trivial, too much?)	13. Do you usually trust what journeymen and foremen relate to you about Construction activities?
3q. How would you rate the consistency of your supervisor's decisions?	16. Do you feel your suggestions are ignored or given minor attention?
4a. Do you feel you have enough time to perform your inspections?	18. Do you feel that administrative policies create a restrictive attitude?
4b. How would you rate your workload?	19. Do you feel that you may have to write a Nonconformance Report to get your concerns in front of management for action?
4d. How would you rate equipment availability to perform your inspections or job?	
4e. How would you rate the authority given to you to perform your inspections?	
4f. Who do you feel bears the ultimate responsibility for your inspections? Identify:	
5a. What do you feel are the major problems in QC at CPSES?	
5b. What do you feel is an adequate solution to these problems?	
5c. Do you feel that you have adequate communication with the construction foreman that you come in contact with?	
1979 - Low Threat	**1983 - Low Threat**
ID1. What makes you feel comfortable about your job?	3. Do you have confidence that your supervisor will pursue problems you submit to them that require time for resolution?
I1. How adequate is the information given to you to do your job?	5. Do you consider yourself better qualified than Craft?
Ij. How meaningful are your procedures? (availability, understandability)	6. Do you understand the purpose of turnover activities?
Ik. How meaningful are your inspection plans or checklists?	7. Do you understand the directions you are given by your immediate supervisor?
1f. How adequate are examinations with respect to the job you actually perform?	8. Do you feel that the inspection instructions provide clear and adequate directions?
3q. Do you feel the "On the job" training is adequate for the inspection certification program?	15. Do you have professional respect for Craft supervision?
5d. Do you enjoy QC inspection work?	17. Do you feel you have adequate access to any level of Quality Management?

° There were slight item referent differences among the three threat categories: High Threat items referred largely to job and to organizational issues; Medium Threat referred to job, organization, supervision, and craft. Low Threat items referred to job and organization. The whole 1979 survey was much more job-general focused than was the 1983 survey.

Substance of Written Comments

Any comments or responses even remotely suggesting fear or intimidation as defined in this analysis were recorded verbatim. They are presented in Table 4.

In all, 41 responses were extracted as possibly reflecting intimidation. Three of these were either non-specific or referred to other issues (catering to NRC, "errors in inspection reports," pressure experienced previously, when employed in craft).

All of the remainder occurred either in response to management-oriented questions (18), or in response to craft/construction-oriented questions (20).

All responses with possible management or supervision implications were found in response to questions 1d(2) (one response), 2a (15 responses), 2b (one response), 2g (one response). For these 18 responses, three referred to craft/construction only; four referred to management only; 11 referred to management acquiescing to craft/construction.

Those referring to craft/construction were all found in response to question 4c (20 responses). None of the 20 contained references to management. Four respondents appeared

Table 4

RESPONSES SUGGESTING INTIMIDATION

Questionnaire	Question Number and Evidence
J8	Ij. How meaningful are your procedures? (availability, understandability) "TUGCO says don't worry about - don't document anything - find somebody who's worried about. Tried to put in repas, said he wouldn't sign off on anything wrong so they put him back in ead. T. catering to the NRC - what we say and do are different."
F4	I1. How adequate is the scope of your inspections? (explain whether it is too small, too much, ..etc.) "Errors in inspection reports."
C5	2a. How would you rate management support of QC? "Construction has too much influence. Would like to know who "buys off" some of the placement."
D3	"Infighting between construction/QA."
D7	"Document control personnel do not want to help unless you're a friend."
E2	"Poor overall construction-get the hell out of the way."
F6	"TUGCO has an excellent support programs for Q. However, sometimes they are hesitant to take strong action against construction activities to provide required Q."
F7	"Construction gets what they want. They don't fix the problem."
G2	"Problem with construction people because we wouldn't accept something, construction came to our management and being overruled. In some cases material control problem - QC transferring heat #'s they did not want QC to transfer heat #s - wanted them to disregard part of procedure - verbal order from Hawkins - not documented - in _____ of hangers - looked bad."
G7	"...QC inspe/craft Gen. Foreman-problem with craft pers-____Craft Gen. Foreman threatened to whip everybody-QC inspe. requested rights-He's quit now-Gen. Foreman still here. Has made threats to life-QC management should have backed QC Inspec. General Foreman-welder popped him in eye and not fired-Gen. Foreman still."
G9	"Foreman don't know procedures. Construction oriented job. Will do anything to get around Q."
G11	"Construction has upper hand over QC in this particular job. (Ex. procedures come out until craft is told to implement them QC finds out about new procedures."

Questionnaire	Question Number and Evidence
	2a. How would you rate management support of QC?
G17	"Plenty of support as long as construction is not held up."
G34	"QCI doesn't feel management supports them, but rather supports construction (crafts) people who make waves are no longer here. Get the construction done is the theme."
G39	"Supervisor told Inspector if a thickness below min. by 2 or 3 _____ use good judgement. But don't record good judgement."
G52	"Clarke and Hawkins don't stand behind field QC. Tells QC things omit problems when QC feels that there are such, as bad marks on pipe."
L6	"Construction has upper hand over QC; whole site is production oriented over quality. No consistency-some weeks 'Live by production', others 'get production regardless of quality'."
	2b. How would you rate your supervisor's support of your activities?
L6	"Has been 'stepped on' by management."
	2g. How would you rate the consistency of your supervisors decisions?
H6	"Supervisors threaten inspectors with overtime. Gives it to some and won't give it to others."
	4c. Do you feel you are subject to excessive pressures from construction while doing your inspections?
D1	"Inspection threatened on site. (Chuck Irdy) 3 mos. ago (or 4) and as recently as 3 wks. ago by Geo. Fleming. He was in a fist fight with a welder 3 wks ago. General foreman - hanger tab shop (Geo. Fleming) His son went to welder's house-threatened him with a gun."
D6	"Changing report."
E2	"Not if you don't allow it - heard of inspector being threatened."
E5	"But personnel are frequently hesitant to respond."
F6	"Upper const. mgmt. tried to have man fired for holding up pour when 6 embeds were missed. Has had life threatened by construction general foreman."
F12	"Pressure was applied some time back but now it's better."

Questionnaire	Question Number and Evidence	
G9	4c.	Do you feel you are subject to excessive pressures from construction while doing your inspections?
G9		"They raise 'Sam Hill' about QC not buying off work. Very often."
G10		"At time Robbie Robinson (Gen. Foreman) physically threaten him. assigned to him-you went to nights-told it would be taken care of-but never told about resolution. Silverhorne? immed.-went all the way putting on hold tag-start kicking ass-put on nights-General foreman still there."
G13		"Different times different craft supervisor you feel pressure. BR is more construction oriented than quality oriented definitely."
G28		"Sometimes yes, gives them supervisors phone number and walks away. Problem solved."
G33		"They try though."
G39		"J.H. said we have too many inspectors we are going to have to get rid of some."
G52		"But they do try."
I9		"Paula cited incident with Glenda. Glenda told him he couldn't do something. He (Jim Smith) get mad, came and lifted her up-was rude, said something he shouldn't have said. He is not like that anymore. He doesn't show any disrespect anymore. Five to 6 people knowing about it. Has blown confidentiality. She is worried."
J7		"STP-inspec. were int., beat up, and for 5 mos. didn't do any insp."
K1		"During Jan., Feb., March there was excessive pressure-definitely."
K4		"Not excessive, but there is pressure."
L1		"Franklin direct all pkgs together, if he working on _____ they'll get him alone."
L6		"Did previously."
L8		"At times."

Questionnaire	Question Number and Evidence
	D2. What makes you feel uncomfortable about your job?
G17	"One craft supervisor threatened QC inspectors. Craft thinks QC is against them."
	This response is not to a question, but is a note at the bottom of page 11
G4	"When in craft-short cuts were taken from pressure-he has changed his opinion-knows where to look also. His general foreman put pressure-he had no choice but to pass pressure on to those working for him."

in both the "craft/construction" and "management" lists. In addition, two persons gave responses on more than one item. A total of 32 persons gave such responses, therefore. However, the two lists are relatively independent.

By work group, the distribution of all respondents giving such responses is as follows, with percentages of total questionnaires indicated:

Group	N of Response	% of Respondents
C	1	25
D	4	100
E	3	75
F	5	38
G	17	39
H	1	12
I	1	10
J	2	18
K	2	15
L	3	27

Selective tests of differences between independent proportions were done among extremes and adjacents. In general, what they showed were that the groups fell into two clusters:

	Composite %
Groups D, E, F, G (High Frequency)	44
Groups C, H, I, J, K, L (Low Frequency)	19

Clustering of Negative Opinion

The analysis of written comments reflecting possible intimidation suggests that negative opinion was, indeed, clustered within a significant minority of persons. Thirty-two of the total of 120 persons gave such responses.

DISCUSSION AND CONCLUSIONS

As was the case in the 1983 survey data, the pattern was positive or favorable overall, and by about the same proportion. Approximately one respondent in four was negative. There was not, therefore, an absence of negative opinion. In addition, the response rate was quite high, nearly as high as in 1983, despite the somewhat more threatening format of the face-to-face interview.

On other issues of the pattern of response, the *least* favorable response was to the *most* threatening items, not the other way around, as one might expect from a pattern of intimidation. As in 1983, there was no prevalent pattern of skipping or not responding to items, even more threatening ones. However, the latter may be of reduced significance, given that a face-to-face interview demands at least some response. Finally, negative responses seemed to be broadly scattered.

One would conclude, therefore, that the *pattern* of response does not suggest intimidation.

The *substance* of responses is another matter. Since the 1979 survey, unlike that in 1983, was not focused upon the issue of intimidation, one would expect that most of the responses would refer to issues other than that, and, indeed, that is the case. With one exception (question 2a), the questions eliciting the least favorable responses had little to do with fear and intimidation. However, on question 2a ("How would you rate management support of QC?"), 28% responded *marginal* or *inadequate*.

Perhaps information more directly relating to the issue of fear and intimidation came from an analysis of written

comments. Thirty-four of the 38 relevant comments involved intimidation coming from craft/construction. Of these, 11 also involved the perception that management acquiesced to craft/construction and did not back QC.

The conclusion, therefore, appears to be that, in the eyes of a significant minority of these respondents in 1979, there was, indeed, intimidation. It came almost exclusively from craft/construction, not from management or supervision, but in a sizable minority of cases involved acquiescence by these latter persons or groups.

APPENDIX A

OVERALL SCORES FOR 1979 CPSES QUESTIONNAIRE INTERVIEWS

N = 120

I D1 What makes you feel comfortable about your job?

Codes:
1 Formal preparation received (tests/certification, experience, enough background, etc.)
2 Independence and Responsibility
3 Does or doesn't (qualified)
4 Self-confidence/personal motivation
5 Management (positive)
6 Other (comfortable, good people, security, answers, plenty of work, good working conditions)

Scores: 1 = 44 2 = 11 3 = 0 4 = 16 5 = 4 6 = 31

D2 What makes you feel uncomfortable about your job?

Codes:
1 Money
2 Lack of formal preparation
3 Conflicting directions, lack of clarity
4 Arguments, etc., from craft/construction
5 Management (negative)
6 Other (inadequate supervisor, contact with people, turnover, snide remarks when not busy, no privacy, responsibility delegated without authority, pressure to give to United Fund, discipline employees, more variety in job, pass the buck to QC, job security, sex discrimination, poor equipment, layoffs, always behind)
7 Lack of self confidence
8 Safety
9 Morale
10. Hiring procedures

Scores: 1 = 16 2 = 6 3 = 26 4 = 9 5 = 19 6 = 39 7 = 2 8 = 1 9 = 0 10 = 1
Deviations 3&5 = 2 4&6 = 2

I i How adequate is the information given to you to do your job?

Codes: Inadequate (I) Marginal (M) Satisfactory (S) Good (G) Excellent (E)

Scores: E = 4 G = 27 S = 42 M = 22 I = 6 NA = 6 M&S = 1 S&G = 2 I&E = 1
I&S = 1 M&G = 1 I&M = 1

j How meaningful are your procedures? (availability, understandability)

Codes: Same Codes as i above

Scores: E = 6 G = 37 S = 25 M = 23 I = 18 NA = 1 S&E = 1 I&G = 3 M&G = 1

k How meaningful are your inspection plans or checklists?

Codes: Same codes as i above

Scores: E = 7 G = 46 S = 29 M = 7 I = 7 NA = 21

l How adequate is the scope of your inspections? (explain whether it is too small, too much, ...etc.)

Codes: Same Codes as i above

Scores: E = 12 G = 39 S = 23 M = 7 I = 2 NA = 13 I&G = 1 Vary (V) = 1

m How adequate is the emphasis on activities that have a bearing on quality? (Too much or not enough) (Are we looking at activities that are trivial, too much?)

Codes: Same Codes as i above

Scores: E = 15 G = 43 S = 22 M = 10 I = 3 NA = 11 G&E = 1 M&S = 1 M&G = 1

2. a How would you rate management support of QC?

Codes: Inadequate (I) Marginal (M) Satisfactory (S) Good (G) Excellent (E)

Scores: E = 6 G = 18 S = 26 M = 24 I = 4 NA = 5 DK = 4 NC = 1
M&S = 2 S&G = 2 I&S = 1 I&E = 1

b. How would you rate your supervisor's support of your activities?

Codes: Same as a above

Scores: E = 47 G = 38 S = 10 M = 12 I = 1 DK = 1 NA = 1 NC = 1

c. How well does your supervisor answer your questions?

Codes: Same as a above

Scores: E = 39 G = 38 S = 16 M = 6 I = 5 NA = 5 DK = 1 I&E = 1

d. How available is your supervisor when you need him?

Codes: Same as a above

Scores: E = 46 G = 34 S = 23 M = 7 I = 1 NA = 1 M&S = 2

e. How effectively does your supervisor advise you of your inspection activities in a timely manner:

Codes: Same as a above

Scores: E = 16 G = 15 S = 9 M = 3 I = 2 NA = 58 I&G = 1 I&S = 1

f. How well does construction provide you with advance notification of activities which require QC support?

Codes: Same as a above

Scores: E = 13 G = 30 S = 19 M = 5 I = 7 NA = 33 I&M = 1 M&S = 2
S&E = 1 I&E = 1

g. How would you rate the consistency of your supervisors decisions?

Codes: 1 = Very consistent 2 = Good, Satisfied, Consistent 3 = Inconsistent

Scores: 1 = 20 2 = 64 3 = 20 M = 1 NA = 5 DK = 2 NC = 1

3. f. How adequate are examinations with respect to the job you actually perform?

Codes: Inadequate (I) Marginal (M) Satisfactory (S) Good (G) Excellent (E)

Scores: E = 20 G = 38 S = 16 M = 7 I = 4 NA = 23

g. Do you feel the "On the Job" training is adequate for the inspection certification program?

Codes: Same as f above

Scores: E = 13 G = 25 S = 12 M = 9 Yes = 17 I = 10 NA = 24

4. a. Do you feel you have enough time to perform your inspections?

Codes: Yes (Y) No (N)

Scores: Y = 102 N = 9 Vary = 1 Y&N = 1 Sometimes = 1 NA = 1

b. How would you rate your workload?

Codes: Light (L) Enough (E) Too Much (TM)

Scores: L = 12 E = 68 TM = 26 Vary = 6 L&TM = 3 E&TM = 1 L&E = 1

c. Do you feel you are subject to excessive pressures from construction while doing your inspections?

Codes: Yes (Y) No (N)

Scores: Y = 19 N = 94 NA = 1 Y&N = 1 Sometimes = 3

d. How would you rate equipment availability to perform your inspections or jobs?

Codes: Inadequate (I) Marginal (M) Satisfactory (S) Good (G) Excellent (E)

Scores: E = 21 G = 32 S = 20 M = 9 I = 11 NA = 20

e. How would you rate the authority given to you to perform your inspections?

Codes: Same as d above

Scores: E = 26 G = 42 S = 24 M = 8 I = 6 NA = 6

f. Who do you feel bears the ultimate responsibility for your inspections?

Codes: 1 = Self (with or without others)
2 = QC Supervisor
3 = Lead Inspector
4 = Management/Owner
5 = Site engineer (G&H)

Scores: 1 = 59 2 = 31 3 = 3 4 = 16 5 = 1 NA = 5 1&4 = 1 2&3 = 1

5. a. What do you feel are the major problems in QC at CPSES?

Codes:
1 = Monetary policy (or pay, pay scale, etc.)
2 = Turnover
3 = Morale
4 = Miscellaneous organizational conditions
5 = Working Conditions
6 = Safety
7 = Fear, intimidation, etc.
8 = Procedures
9 = Jobs - openings, progression, etc, selection, programs
10 = Inadequate job proficiency
11 = Craft foreman pressure; ignorant of requirements
12 = Communication between departments/management
13 = Construction pressure/quality
14 = Bad Press

Scores: 1 = 50 2 = 10 3 = 25 4 = 40 5 = 6 6 = 6 7 = 2 8 = 25 9 = 5
10 = 23 11 = 8 12 = 21 13 = 5 14 = 1

b. What do you feel is an adequate solution to these problems?

Codes:
1 = Change monetary policy
2 = Change job progression, hiring, etc.
3 = Change pay or pay policy
4 = Training
5 = Treat employees better
6 = Formal systems (print rules changes, rules & requirements, etc.)
7 = Change organizational or supervisory practices
8 = Stop constant turnover
9 = Improve safety
10 = Improve working conditions

Scores: 1 = 18 2 = 8 3 = 7 4 = 15 5 = 6 6 = 18 7 = 29 8 = 2 9 = 1
10 = 1 NA = 1

5. c. Do you feel that you have adequate communication with the construction foreman that you come in contact with?

Codes: Yes (Y) No (N)

Scores: Y = 86 N = 4 NA = 1 Y&N = 1

d. Do you enjoy QC inspection work?

Codes: Same as c above

Scores: Y = 102 N = 4 NA = 1 Y&N = 1

APPENDIX B

SUMMARIES OF ALLEGED INCIDENTS OF INTIMIDATION

SUMMARIES OF ALLEGED INCIDENTS OF INTIMIDATION

This appendix to the Supplementary Report contains a brief summary and analysis of each of 31 incidents alleged to involve some aspect of intimidation. The table below provides a list of the incidents, the individuals making the allegations, and the year in which each incident occurred. Those incidents identified with an asterisk (*) are those the Study Team judged to actually be intimidation.

TABLE B1

ALLEGED INCIDENTS OF INTIMIDATION

Year		Alleger	Incident
1979		Messerley	Foreman Intimidating QC Inspector
1980		---------	--------- (no alleged incidents)
1981		H. Stiner	Termination
	*	D. Stiner	Weave Welding
		D. Stiner	Diesel Generator Skids
		D. Stiner	Polar Crane NCR
1982	*	D. Stiner	Circuit Breaker Article
		D. Stiner	Office Relocation
		D. Stiner	Meetings Related to Pregnancy
		D. Stiner	Harassing Letter
		D. Stiner	Weld Symbols
		Miles	North Valve Room
1983	*	Dunham	Intimidation of Coatings Inspectors

*	Dunham		Termination
*	Neumeyer		Liner Plate Traveler
	Allen		Job Interview
*	Allen		ALARA and DCA Reviews
	Allen		Craft Foreman
*	Allen		Detergent On Painted Surface
*	Allen		Cigarette Filters
	Barnes		Valve Disk Incident
	Witness "F"		Building Manager Threat Over SWA
	Witness "F"		ES-100/RG-1.75 Conflict
1984	Witness "F"		Threat to "Pull Your Chain"
	Witness "F"		Ferro-Resonant Transformers
	Witness "F"		Problems/Quantity of Work Comment
	Neumeyer		Stanford Incident
	Gregory		Pressure On N-5 Reviewers
	Gregory		QES Review Sheet
	Gregory		Reduction of Force (ROF)
*	---------		T-Shirt Incident
	Hamilton		Refusal to Inspect Coating
	Krolak		
	Shelton		

Summaries of each of these incidents are presented in the remaining pages of this appendix.

1979 - R. Messerley - Foreman Intimidating QC Inspector

Mr. Messerley claimed that a QC inspector was verbally and physically intimidated by a much larger general foreman for red tagging too many cable tray supports. This purported incident had occurred five years before it was brought out by Messerley and had not been mentioned in testimony or statements by him on three prior occasions in sworn testimony or depositions. There was no testimony supporting the contention, despite the claim that the altercation was very loud, lasted for 10 or 15 minutes and was witnessed by a crowd. In addition, several other Messerley allegations related to improper workmanship and handling of hardware were contradicted by a number of individuals who had worked for Messerley at the time of the alleged incidents (See discussion of Investigation Report 4-83-005 in Section 3.3.2 of the Supplementary Report). In the opinion of the Study Team, Mr. Messerley's allegation regarding the red tagging intimidation incident was not proven.

1981 - H. Stiner - Termination

Mr. Stiner alleged that he was fired for reporting a gouge in a pipe to a QC inspector, Ms. Neumeyer. The weight of evidence, including the ASLB Memorandum on welding issues of December 18, 1984, appears to support the applicant's assertion that Stiner was terminated for absenteeism. The Study Team does not believe this incident met the criteria

for intimidation.

1981 - D. Stiner - Weave Welding on Pipe Support

Ms. Stiner testified that she observed weave welding being performed on a hanger in violation of welding procedures. She claims to have told her supervisor, Mr. Williams, about the event and stated that he supported her in writing an NCR. Stiner also claimed that later Williams discussed the matter with craft and directed her to sign off on the weld with a threat of firing her if she didn't. No NCR was found, but the finding of an IR signed by Stiner indicating she had inspected and accepted some weave welding on a hanger provides some support to her allegation. No specific instances of weave welding violations were substantiated. However, Ms. Stiner could have felt a lack of management support or even threat in this alleged incident. The Study Team has, therefore, classified this as a possibly intimidating event in that the threats and lack of management support, if they in fact occurred, were reasonably likely to have influenced Ms. Stiner to refrain from performing work in accordance with requirements.

1981 - D. Stiner - Diesel Generator Skids

Ms. Stiner, a QC inspector, alleges she was harassed and intimidated by her supervisor when he assigned her to conduct inspections on welds on the diesel generator skids, even after she protested that she was unqualified to conduct these inspections. The preponderance of evidence

seems to indicate that she was asked to help another inspector on the diesel generator inspections. She had trouble reading drawings and may have felt uncomfortable with the assignment. When it became apparent to supervision that she was not doing the job, she was reassigned. This is not considered by the Study Team to be an incident of intimidation.

1981 - D. Stiner - Polar Crane NCR

Ms. Stiner alleged that an NCR she wrote regarding a hole in the polar crane rail was improperly voided and the hold tag on the instrument panel was improperly removed. No evidence of a hole or repaired hole was found. A Stiner NCR for about the right time period on the polar crane bus box was found. This NCR was voided appropriately because the bus box was non-Q and outside the scope of the QA program. The Study Team does not consider this to be an incident of intimidation.

1982 - D. Stiner - Circuit Breaker Article

Ms. Stiner testified at a public ASLB hearing in 1982. Although her testimony had received wide publication in the local press, the applicant focused unfavorable attention on Stiner through an article in the site newsletter, the "Circuit Breaker." As a result of this article, Stiner claims she was refused a ride to the plant on a private bus that she rode occasionally, that she was ridiculed by people on the bus, and that she was threatened with being

beaten up by two women employees at CPSES.

There was no supporting evidence for the bus incident. In fact, all the available testimony from witnesses to the event refuted Stiner's testimony. There was also no support for the alleged threats by the two fellow employees. Despite these specific refutations o [illegible] claims, there is a broader aspect of this event [illegible] pertinent to a climate of intimidation. Although the hearing testimony was given wide play in local newspapers, the fact that management called additional attention to her position in the Circuit Breaker article may have exacerbated the adverse reaction of her peers and resulted in threats against her, even though such threats were not confirmed. Highlighting the fact that an employee testified against the company could deter other employees from coming forward in a public way to identify safety problems.

The Study Team concludes that this was a significant event of intimidation both to Ms. Stiner and to other employees who could get the message that the company focused unfavorable attention on employees who testified against it.

1982 - D. Stiner - Office Relocation

Ms. Stiner claims she was harassed by being moved four times over a two-day period and finally being placed in a

small, dirty shack with a broken air conditioner, right on the road. It appears that in fact she was moved in one day to two temporary locations because her new office was not cleaned up and there was no air conditioner. While awaiting correction of these deficiencies Ms. Stiner was moved to a crowded trailer for a couple of hours and then in with her supervisor for several hours. Finally, she was moved to the office adjacent to the fab shop. This eliminated the need for her to walk uphill between one half and one mile to her new work location from either the new offices of her group or her old office. The evidence does not support the harassment accusation, and the Study Team finds this event did not meet the criteria for intimidation.

1982 - D. Stiner - Meetings Related to Pregnancy

Ms. Stiner alleged that she was subjected to a series of eight meetings intended to intimidate and discourage her in performance of her work following her appearance before the ASLB. In fact, it appears that the company provided information on maternity benefits six weeks before her ASLB appearance and approximately six weeks after, for a total of only two meetings. There is a lack of corroborating evidence to support Ms. Stiner's contention. As considered in more detail in Section 3.3.2 of this report in the discussion of Investigation Report 4-84-008, the Study Team does not view this event as intimidating.

1982 - D. Stiner - Harassing Letter

Ms. Stiner alleged that a letter sent to Ms. Ellis of CASE accused her of stealing and lying, and threatened termination if caught. In actuality, a telegram was sent to Ms. Ellis suggesting that she was improperly encouraging Ms. Stiner to copy and remove documents from on-site. The Study Team, under its criteria, does not find this to be an intimidating event.

1982 - D. Stiner - Weld Symbols

Ms. Stiner claims she was told by Mr. Brandt to improperly accept doors which had not been properly welded in accordance with weld symbols on design drawings. The evidence fails to support the allegation and it is not clear that Ms. Stiner understood the drawings, which showed the type of welds required and indicated that the lifting lugs themselves were not nuclear safety related. At worst there may have been a failure to communicate well with Ms. Stiner as Brandt may have failed to provide adequate explanation before directing her to accept the work. The Study Team concluded that this was not an incident of intimidation.

1982 - S. Miles - North Valve Room

Mr. Miles alleged, in a deposition in July, 1984, that stainless steel welding was being done in the North Valve Room in early 1982 while arc gouging was going on overhead. A young QC inspector was purported to have left in a rush

to stop the work, then returned and ignored the arc gouging and the welding that was going on "contrary to procedures" for clean air. Miles believed the inspector had been intimidated by someone. There was no corroborating testimony. Miles had provided the following: a deposition on July 2, 1982; testimony to the Board shortly thereafter; supplemental testimony a few days later; an interview with an NRC investigator a year later; an affadavit in the fall of 1983; and a handwritten statement dated January 22, 1984. In none of these had the alleged incident been mentioned. The Study Team concluded that the evidence was not sufficient to indicate that intimidation was involved in this incident.

1983 - W. Dunham - Intimidation of Inspectors - Nitpicking
As a result of a specific inspection by coatings inspectors in the Skimmer Pump Room, Mr. Williams, the coatings QC supervisor, called two meetings of his inspectors to discuss uniformity of inspection criteria. Williams admitted he threatened the inspectors with retraining or pulling their certifications if they were found repeatedly making inspection errors. Williams used the term "nitpicking" to describe some of the rejectable findings. The Study Team believes that the statements could have been and, in fact, were interpreted by some QC inspectors as instructions not to inspect in accordance with procedures. Williams later conceded that his statements could have been viewed as intimidating even though that was not his intent.

The Study Team believes that his statements were reasonably likely to influence employees to refrain from performing their work in accordance with requirements, and thus this incident meets the criteria for being judged as an intimidating event.

1983 - W. Dunham - Termination

Mr. Dunham attended a meeting of QC inspectors and supervision, the purpose of which was to have two coatings experts explain proposed technical changes in coatings specifications and procedures. During the course of the meeting, Dunham apparently spoke out regarding intimidation of inspectors and lack of support from supervisors. It is not clear to what extent these or other Dunham comments were disruptive. However, it is not evident that any management action was taken during the meeting to respond to Dunham, to control his purported "disruptiveness" or to keep the meeting to its express purpose, if Dunham was in fact being disruptive.

Subsequent to the meeting a counseling session was arranged with Dunham to discuss his behavior in the meeting. During this session Dunham's employment was terminated, either by his quitting or being fired--it is not clear which. This termination was considered by most of the QC coatings inspectors that attended the meeting to result from Dunham's complaining about intimidation during the meeting.

Regardless of the facts regarding Dunham's conduct in the meeting or the cause of his termination during the counseling session, the Study Team finds that his termination was reasonably likely to influence other QC inspectors to refrain from reporting intimidation concerns, and thus meets the criteria to be classified as an intimidating event.

1983 - S. A. Neumeyer - Liner Plate Traveler

Ms. Neumeyer alleged she was instructed to sign off a number of weld hold points on some old liner plate travelers that she felt were inadequately documented. According to her, she was threatened with loss of a weekend off if she failed to obey. Ms. Neumeyer voiced to her supervisors and co-workers her concerns about the impropriety and signed off on some of the work under protest. The actions of her supervisor, including the use of threats, were reasonably likely to influence her and other employees to perform work they believed was not in accordance with requirements. Thus the Study Team concludes that this incident meets the criteria for being intimidating.

1983 - C. Allen - Five Alleged Incidents

Mr. Allen was hired as a coatings inspector despite having significantly more education than was required for that position. He has an undergraduate degree in chemistry and a master's degree in polymer chemistry.

1 -Job Interview

Mr. Allen felt that during his job interview he was told that despite his expertise he was not to question QC procedures or engineering judgments. The Study Team feels that this was an effort by management to make clear to Allen what his job function as an inspector would be and is not viewed as an intimidating event.

2 - ALARA and DCA Reviews

Mr. Allen raised questions about ALARA reviews and Design Change Authorization (DCA) reviews to the training coordinator, who was unable to answer the questions and took him to Mr. Tolson's office for an explanation. A day or so later, Mr. Brandt called him in to discuss the same matter. The Study Team feels these repeated meetings with senior QC supervisors could have been intimidating.

3 - Craft Foreman

Mr. Allen alleged in a letter that he was ordered by a craft foreman to reinspect work in an area reachable on scaffolding. In the same letter he listed problems he had within the space of a week with a general foreman and three other different foremen. These purportedly included "shouting matches" with the three. Brandt's reaction to this complaint was to discuss the matter with construction management, Allen, and Allen's supervisor. Brandt formally responded to Allen's complaint as follows: "This type of

harassment must cease. Construction has assured us that they will implement corrective action (as necessary) immediately. As we discussed verbally, if the situation does not improve, please notify me again." The Study Team believes that Brandt's actions were appropriate and does not believe that a reasonable person would have been intimidated under these circumstances.

4 - Detergent On Painted Surface

As a consequence of writing an NCR regarding use of detergents to wash down coated surfaces, Mr. Allen was sent to Brandt's office to defend his action. This probably tended to make Allen refrain from writing NCR's of a technical nature in situations where he felt one should be written. The Study Team finds this incident to meet their criteria for intimidation.

5 - Cigarette Filters

Mr. Allen learned that cigarette filters were being used by painters in the cheater valves of spray guns to assure passing the air acceptability test. Mr. Allen was dissuaded from writing an NCR because his management felt the use of cigarette filters was not a violation of any procedural requirement. Management also felt that final inspections would pick up the presence of oil or water in the paint. The Study Team assesses this event as having been intimidating because apparently the cigarette filters should not have been used and an NCR should have been

written. A reasonable person in Mr. Allen's situation in this incident would feel pressure to perform in a manner not in conformance with requirements.

1983 - L. Barnes - Valve Disk Incident

Ms. Gregory, a trainee, is purported to have brought a traveler to Ms. Barnes which had a disk number that did not match the disk number in the Data Report. It is alleged that Barnes' supervisor, Mr. Bennetzen, told her it didn't matter and would cost too much money to check. Finally, Gregory was purportedly told by Barnes that she could sign the documentation off if she wanted to, but that Barnes wasn't going to. Despite this statement, Barnes alleged that Gregory signed off the traveler. Gregory did not provide corroboration of tnis event. The Study Team concluded that this incident was not substantiated as an instance of intimidation.

1983 & 1984 - Witness"F" - Several Allegations

This witness provided a number of technical allegations as prefiled testimony shortly after he quit his job at CPSES. The witness also stated he had been subjected to harassment and intimidation by bringing his concerns to his supervisors and others. Witness F described five incidents which he believed were examples of intimidation or threats against him, as follows:

1 - Building Manager Threat Over SWA - 1983

Witness F alleged a TUGCO building manager told him, "You're treading on thin ice," in response to Witness F's refusal to sign a startup work authorization (SWA) because of his belief there was an inconsistency between ES-100 and and Regulatory Guide 1.75 (RG-1.75). The witness, after having agreed to sign the SWA during a meeting where the procedural problems were resolved, then refused to do it until he received further technical information on the subject from Gibbs & Hill in New York. The position of management was that established procedures permitted signing of the SWA prior to resolution of the technical issues. This position appears to have been correct and the ensuing disagreement should not have discouraged the witness from performing his job properly.

2 - ES-100/RG-1.75 Conflict - 1983

Witness F alleged a startup manager tried to discourage him from calling the NRC on the ES-100/RG-1.75 conflict. It appears that management preferred to resolve the technical matter in-house prior to any notification of the NRC, and was pursuing resolution of the witness's concerns appropriately in accordance with established procedures. The Study Team concluded Witness F was not intimidated by management from calling the NRC on this matter. In fact, the witness admitted he continued to call the NRC, Region Five, regarding ES-100.

3 - Threat To "Pull Your Chain" - 1984

Witness F alleged the project electrical engineer threatened he would get a superior to "pull his chain." According to testimony of the alleged threatener, Mr. Vogelsang, which was corroborated by Mr. London, Vogelsang felt Witness F was becoming a nuisance, was creating confusion, and was badgering him to issue a Part 21 report on the ferro-resonant transformer problem. Vogelsang's use of the term "pulling in your reins" was meant by him, and so interpreted by London, as meaning to get Witness F back into line to do his job and let other people do theirs. Management does not appear to have been attempting to discourage Witness F from performing his proper job function, but was attempting to discourage him from further involvement outside his job function. The Study Team concluded this was not an incident of intimidation.

4 - Ferro-Resonant Transformers - 1984

Witness F claimed a startup supervisor harassed and threatened him in connection with the problem with ferro-resonant transformers. There is some evidence the witness was using the ferro-resonant transformer situation and, specifically, filing of a 50.55(e) report to harass one of his supervisors, Mr. Luken, who was a Westinghouse employee.

Luken believed Witness F accused him of trying to cover up

a safety issue, which is a Federal crime. In response, Luken became very angry, walked away, and a few minutes later called out to Witness F as he passed Luken's office, "You will never accuse me of trying to cover up a safety issue again."

This warning, or claimed threat, was not mentioned by Witness F in his June 27, 1984, affidavit, not was it subsequently mentioned by him in his July 18, 1984, or July 19, 1984, depositions, which included extensive questions regarding this incident and perceived intimidation. The Study Team concluded that Witness F was not intimidated in this [illegible].

5 - Problem Finding and Quantity of Work Comment - 1984
The startup supervisor, Mr. Luken, told Witness F if he had enough time to find problems (such as the ferro-resonant transformer problem and the purported conflict between ES-100 and RG-1.75), then he had time to do more work. Based on the history of these two matters, including the continuing attention being directed toward them by Witness F, the criticism appears to have been a justifiable management comment and not intimidating.

The witness also claims his former employer at CPSES has continued to engage in harassment and intimidation against him by blacklisting him with other companies. Insufficient evidence exists to assess this allegation.

As indicated in the five specific incidents, in the opinion of the Study Team the evidence failed to support the allegations of Witness F that he was intimidated.

1984 - S.A. Neumeyer - Stanford Incident

Ms. Neumeyer wrote an NCR which she believed was required. Management supported her in writing it and conducted the necessary investigation as a result of it. Management found no problem and therefore voided the NCR in an appropriate fashion. Neumeyer continued to be concerned because she felt the records used to void the NCR were re-created after the fact and were not valid. Management's failure to communicate adequately with Neumeyer apparently left her feeling uncomfortable after the event. The evidence indicates that management handled this situation in accordance with good practice and, according to the Study Team's criteria, the event should not be classified as intimidating.

1984 - M. Gregory - Pressure on N-5 Reviewers

Ms. Gregory alleged that undue pressure was applied to QA/QC document reviewers in that her supervisor, Mr. Bennetzen, demanded 40 ISO's a week, threatened the use of job shoppers and commented on company loyalty in line with keeping one's job. It does not appear to the Study Team that an allegation of intimidation was substantiated in this incident since:

- o Gregory was not a document reviewer and there was no substantiation that the reviewers felt excessively pressured.
- o The use of job shoppers was suggested by higher management as additions to the N-5 reviewers, and Bennetzen was trying to avoid bringing in shoppers by increasing the group's output.
- o Bennetzen apparently did make some comments related to company loyalty on a day that two people quit without notice and to job security related to a specific individual. It is felt that Gregory took these comments out of context as a warning to her. There is no substantiation for her interpretation

1984 - M. Gregory - QES Review Sheet

Ms. Gregory alleged that her supervisor ordered a reviewer, W. Darby, to sign off a Quality Engineering Systems (QES) review sheet without doing the review. This incident resulted from the fact that a package to be vaulted had been returned from the Authorized Nuclear Inspector (ANI) with the cover sheet (QES review sheet) missing. In view of the fact that the ANI's will not review the package without the QES review sheet attached, and an ANI had signed off, it was apparent to Darby that the cover sheet had been lost after ANI review. He checked the package to make sure the documents included were listed on the QES review sheet and sent it to the vault. This was in

accordance with procedures. The Study Team finds sufficient evidence to conclude this was not an incident of intimidation.

1984 - M. Gregory - Reduction of Force (ROF)

Ms. Gregory alleged that there was something wrong with the way employees were selected for a ROF in that more qualified people were ROF'd while less qualified were retained. The applicant responded that there is a comprehensive, mainly objective method for ROF selection that includes assessment of clearance capability, certifications, and absenteeism. The Study Team did not feel that adequate information was available to assess this allegation.

1984 - T-Shirt Incident

A number of electrical inspectors showed up on site on two days one week wearing T-shirts indicating they were "Comanche Peak Nitpickers--We're In the Business of Picking Nits." On the second occasion eight inspectors were sequestered in an office and ultimately sent home after their desks were searched and some personal and company property seized. Most of the eight involved were subsequently transferred or terminated.

This incident occurred about the same time that allegations had been voiced by craft of destructive testing by electrical inspectors. The inspectors' T-shirts could have

been read to convey a message that their job was to report safety concerns described by craft or coatings foreman Williams as "nits." Management's response was inappropriately severe to an occurrence that possibly was intended as a joke. That response, highly visible to other employees, was reasonably likely to dissuade employees from identifying or reporting some safety concerns or otherwise making waves. The Study Team has concluded that this incident was one of intimidation.

1984 - Hamilton,Krolak,Shelton - Refusal to Inspect Coating

Three QC inspectors, Hamilton, Krolak, and Shelton, were terminated for refusing to inspect coatings on the Rotating Access Platform Rail in Reactor Building No. 2. There was scaffolding in position from which the painters had worked, and a lifeline safety system was properly in place. Apparently the three inspectors had not actually climbed up to look at the rail or scaffolding. Testimony from several individuals who climbed to the rail indicated it was safe to perform the inspection and that the three inspectors had made no attempt to determine conditions of the rail or scaffolding.

After their initial refusal to perform the inspection, the three inspectors were advised that supervision and the Safety Department had evaluated the area and found it safe. The three were then offered the opportunity to reconsider their stance. When they refused to reconsider, they were

terminated for refusing to perform their assigned tasks.

The Study Team feels that management acted properly throughout this incident, and that this was not a case of intimidation.