

AFFIDAVIT

My name is Chan Van Vo. I am also known as Van Vo Davis. I am giving this statement to Robert Guild, Attorney-at-Law, of Charleston, South Carolina, who has identified himself to me as a representative of the Government Accountability Project. I was employed for almost five years by Carolina Power & Light Company in the construction of the Shearon Harris Nuclear Power Plant near Raleigh, North Carolina, most recently in the position of Engineer where I was responsible for ensuring that the installation of pipe and pipe-hangers was in accordance with approved plans, specifications, codes, procedures and schedules. Although I am not opposed to nuclear power, my experience with CP&L causes me to have serious doubts about CP&L's commitment to nuclear safety and about the as-built quality of construction at the Shearon Harris Nuclear Power Plant. On many occasions I have brought safety concerns and construction deficiencies to the attention of my supervisors only to face lack of interest and hostility; and in one case only to find my documentation of a serious safety concern discarded in my supervisor's trash can the next day. I have taken these concerns up my chain of command to senior management at CP&L on several occasions only to be told that 'this is not Vietnam, here at CP&L you are only a soldier who must follow orders.' This lack of interest in my safety concerns was followed by a pattern of harassment, intimidation, pressure to resign, and ultimately my termination. I have filed a

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complaint against CP&L with the U.S. Department of Labor for violation of the Employee Protection Provisions of The Energy Reorganization Act because of the Company's discrimination against me for raising safety concerns. I was only trying to do my job to the best of my ability according to my professional engineering training. I believed that the Quality Assurance regulations of the Nuclear Regulatory Commission, 10 CFR Part 50, Appendix B, and the Company's written policies and procedures meant what they said. However, I have learned that CP&L has very little interest in seeing that the Shearon Harris Nuclear Power Plant is built "by the book." Workers at the site are expected to "look the other way" when they see safety violations or risk losing their jobs. I hope that my concerns will be fully investigated and that effective action will be taken to ensure that the public health and safety is protected before the Harris plant is allowed to operate.

2. I was born in South Vietnam and became a U.S. citizen after I came to this country in 1975. I hold a degree in Math, Science and Physics from the French College and a Bachelor of Science degree in Mechanical Engineering with a specialty in Fluid Mechanics from Phutho Higher Technical University, Saigon, South Vietnam. In order to supplement my education for engineering certification in this country, I have taken courses in civil and mechanical engineering from Fayetteville Technical Institute and International Correspondence Schools. I am currently an MBA candidate at Campbell University, Buies Creek, North

Carolina, where I am concentrating in Production Management. I expect to receive my degree in May 1985. I am an Associate member of the American Society of Mechanical Engineers.

3. I was first employed by CP&L at the Harris site on April 10, 1979, as an Engineering Aide I, in the Mechanical Department under E.M. "Ed" McLean, where I was responsible for preparing requisitions for site material procurement and for performing inspections of mechanical installations in all parts of the plant. On October 10, 1979, I was promoted to Engineering Technician II where I was assigned responsibilities for piping and pipe-hangers. After I finished the ICS program for equivalence with a 4 year degree in mechanical engineering and based on my "outstanding" performance, I was promoted to Associate Engineer, effective October 4, 1980. In this position I performed material take-offs, prepared purchase specifications and material purchase orders for piping; and was in charge of field support for radwaste piping in the Waste Processing Building. In April, 1982, I was transferred to work for the Lead Hanger Engineer, A.G. "Alex" Fuller, where I was responsible for providing technical support to the hanger crafts including the preparation and interpretation of design documents and work procedures, investigation of field problems, preparation of field changes such as Field Change Requests/Permanent Waivers (FCR/PW), and the resolution of nonconformances.

4. Alex Fuller and his immediate superior, Resident Mechanical Engineer E.E. "Ed" Willett, particularly demonstrated a lack of commitment to nuclear safety and a general lack of knowledge and competence to perform their important engineering and management responsibilities. The Resident Engineering Unit carries responsibility for all site engineering functions at the Harris Plant, under the direction of a CP&L employee, the Senior Resident Engineer, a position held by A. Lucas until his removal for poor performance in early 1983. Under Lucas were the various engineering disciplines and the Construction Inspection (CI) organizations. Ed Willett took over the Mechanical Engineering group in 1980. He originally supervised activities in the piping, hangers, equipment and heating-ventilation-air conditioning (HVAC) areas; until equipment installation and HVAC were taken away from him in early 1983, and hanger work was taken away in October, 1983, because of mounting problems and growing recognition of Willett's lack of ability to effectively manage his work. Willett brought in his friend, Alex Fuller, to supervise the hanger program in late 1981, despite Fuller's lack of qualifications for this work. Fuller's training was in civil engineering and his only previous work experience was in dam construction with CP&L. As problems mounted in the hanger area, Al Rager was brought in over Alex Fuller. This did not help at all since Rager lacked any engineering experience. Rager has

since been placed in charge of the Construction Inspection program. This recent move will do nothing to improve the Quality Assurance program at the Harris Plant.

5. In mid-August 1982 I was performing my normal duties checking the installation of pipe-hangers in the Turbine Building. While doing so I observed several pipefitters attempting to fit a 24" carbon steel piping line to the discharge nozzle of Steam Generator Feed Water Pump 1A-NNS. This piping system is of large diameter pipe through which feedwater is pumped back from the turbine condensor to the steam generator which is located inside the Reactor Building containment. The system, including the piping and associated valves and pumps, is classified as Secondary System, Safety Category 4, Seismic Category 1. The integrity of reactor temperature and pressure control is dependent upon the effective function of these pumps, valves and piping, which are, therefore, nuclear safety significant. The 24" carbon steel pipe in question extended on a horizontal run in the direction of the length of the Turbine Building until it reached a position above the discharge nozzle of the pump in question where it dropped vertically toward the pump. Since the pipe-to-pump flange connection was the last remaining fit-up to be made in the pipe run, I was particularly concerned that proper alignment of the pipe to the flange was maintained in order to assure that no improper stresses were imparted to the pump.

6. To assure proper fit-up, I identified the fitters' Foreman and requested that he ask his General Foreman, Danny McGhee, to request Millwright assistance in fitting this connection. Millwrights are responsible for the installation of mechanical equipment such as this SGFW pump. The Foreman did as I requested, but reported back that McGhee had said go ahead without the Millwrights. I returned to my office where I called Piping Engineer D.M. Dasburg to whom I related the problem.

7. Several days later I encountered the same crew of pipefitters in the Turbine Building in the process of actually fitting up this pipe to the pump nozzle. The fitters had rigged a horizontal "come-along" from the pipe to a nearby beam and were "cold pulling" the pipe using extreme force which I would estimate at several thousand pounds in order to force fit the connection. When I encountered them they had almost completed the entire weld. No Millwright was present, nor did I observe any Quality Control, Construction Inspector, or supervisory authority present to witness the "cold pull" fit-up of this pipe.

8. About one week later I observed two Millwrights, a Mr. Strickland, Company No. 50-185 and Mr. Bass, Company No. 50-105, performing an alignment test on the subject Feedwater Pump. One of them said to me, "Mr. Chan they really screwed up this pump!" The Millwrights were measuring the pump shaft alignment using an instrument called a "Dial Indicator" which measures in thousands of an inch. Procedure calls for an alignment tolerance of +/- .005. The Millwrights reported to

me the results of alignment measurements over a three-day period under hot and cold temperature conditions. Their notes reflected a severe misalignment measurement of as much as + .108", - .078" under hot conditions; and + .108", - .075" under cold conditions!

9. On August 25, 1982, I explained this problem to my Supervisor, Alex Fuller. I asked him how I should document and report this safety deficiency; and whether I should inform Resident Mechanical Engineer Ed Willett. Fuller told me to document the problem on a "Speed Letter" which he said he would route to Willett. "Speed Letters" are commonly used at the Harris site for not only routine internal communication, but also in place of prescribed Quality Assurance documentation. Use of "Speed Letters" is not prescribed in any procedures for the documentation of construction deficiencies, nor are "Speed Letters" controlled documents which are normally part of the Nuclear Plant's permanent quality records. I documented the cold pulling misalignment of the Steam Generator Feedwater Pump as I was instructed in such a "Speed Letter" to Alex Fuller, "Subject: Loads Imposed on the Steam Generator Feed Pump 1A-NNS," which detailed my observations and attached a diagram showing the Dial Indicator alignment readings and the Millwrights' names and Company numbers. I closed my message: "Please investigate." The very next day I happened to find my "Speed Letter" with attached diagram discarded in Fuller's trash can!

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12. Since I first raised my concern regarding the cold pulling of this pipe and its effect on the feedwater pump, I became aware of increasing pressure from Fuller and Willett. I sought a transfer out from under Fuller and Willett thinking that a change in supervision would ease this retaliation. Willett refused to approve my transfer request. I pursued my concern regarding the mishandling of the pump deficiency and my request for transfer to avoid the mistreatment. Both Senior Resident Engineer A. Lucas and Harris Project Manager Parsons showed no interest and offered no help. They sent me back to Willett.

13. In November or December 1982 I went to see CP&L Vice President, M.A. McDuffie. I told him that I was just trying to serve my Company. I explained to him all about my report of the pump deficiency. I showed him my "Speed Letter" and diagram and the Millwrights' notes; I told him of Roy Settle's comments. He showed no reaction and asked no questions. I told him of the retaliation and pressure from Fuller and Willett. He told me that I was a good man, that the Company needed me. He said he would help and that I should go back and request a transfer. I did as he told me; but my transfer was refused. Mr. McDuffie did not help me, nor did he investigate my safety concerns.

14. In March, Alex Fuller increased the level of pressure on me and threatened me with termination of my job. He subjected me to "formal counseling" regarding my job performance, including a requirement that I improve my "understanding and explanation of problems." After I requested Project Manager Parsons' help in allowing me to rebut Fuller's allegations, Fuller and Willett backed down and dropped their charges.

15. In April, 1983, I went to see Vice President McDuffie again for help. This time he sent me back without any action or help. Mr. McDuffie said, "This is the U.S. This is CP&L, not Vietnam. Here Ed Willett is your Lieutenant and you are only a soldier. You must obey orders." During the Spring the pressure from Fuller continued to increase. I was assigned more and more work: hangers in the diesel generator building, the turbine

building, the reactor building, the auxiliary building and the waste processing buliding. Much more work than my fair share.

16. In June, 1983, the NRC began to identify serious problems in the hanger installation program at Harris. In a June 10, 1983, exit meeting with site management, NRC Senior Mechanical/Welding Engineer J.W. York noted problems in the hanger inspection area with particular regard to missed deficiencies and material control problems. Several weeks later Alex Fuller assigned me to work with the QA Surveillance Group under the direction of QA Engineer "Buck" Williams. Our task was to begin an evaluation of the adequacy of the existing pipe hanger installation program. Fuller instructed me to select, at random, about 50 hanger packages for review, with particular emphasis on material substitutions, use of surplus materials, and identification of Construction Material Requisitions (CMR's) that did not match the hanger materials actually installed. These areas represented significant problems which the NRC had observed and which indicated the potential need for costly and time consuming reinspection and rework.

17. At Buck Williams' request I pulled 50 hanger packages for seismic hangers on safety-related systems which were supposed to be Phase II complete: installed, inspected, and found acceptable for turn over to operations with only the final Phase III stress analysis yet to be performed. Of these, the QA Surveillance Group inspected 12 at random. In

the course of this review numerous serious deficiencies were noted which had not been identified, documented or corrected although these hangers had all received final approval by CI and CP&L QA/QC.

18. By "Speed Letter" of July 18, 1983, I transmitted to Alex Fuller and Ed Willett my completed "Hanger Phase II Verification Checklists" for these sample hanger packages. Fuller was very angry that such a large number of deficiencies had been identified, and he blamed me for documenting all of these problems. In particular he focused on the problem of material traceability which we had identified on many of these hangers. For example on pipe hanger A-2-236-1-CC-H-105, a "Speed Letter" of 4/25/80 indicates that a 1" x 10" x 10" plate was obtained from Purchase Order 21022 and installed as per drawing. PO 21022 was cited as the source for material in many of the hangers we examined. I explained to Fuller that I had researched this PO with QA Inspector Jay Vincent and another man on the Surveillance team. We could find no documentation of this PO in the QA records vault. In the Purchasing Department, Robert Babb informed us that the Purchasing Log showed that PO 21022 had been voided and that no materials had ever been received through that order! We could not determine where these hanger materials had come from or document that such materials were of acceptable quality for nuclear safety application.

19. Later that afternoon Fuller called me into his office. He called me "a liar" and said that he had found documentation for PO 21022 in the warehouse. He accused me of not doing my job properly. I asked him to wait for the issuance of the Deficiency and Disposition Report (DDR) by the QA Surveillance Group which would confirm my report of material traceability problems and, in particular, the apparent falsification of documentation involved in the repeated use of void PO 21022 to supply traceability for hanger materials of unknown origin. I returned to my work.

20. DDR 1775 was issued by Buck Williams on July 26, 1983, documenting the QA Surveillance findings, as well as my report to Fuller and Willett regarding the void PO. That DDR states that "PO # 21022 was voided and no documentation exists that material was received." It also states: "A further investigation of PO # 21022 revealed that material from this PO was used on pipe hanger 1-CC-H-1242, 1-RH-H-183, and numerous other pipe hangers not listed here, although PO # 21022 was voided . . . " DDRs 1776, 1784, 1795 and Nonconformance Report (NCR) QA-255 also document problems we found in the hanger verification.

21. In response to my report to Fuller and Willett of QA failures, Willett issued a Memo July 29, 1983, "Subject: Shearon Harris Nuclear Power Plant - Compliance with Project QA Programs and Procedures", which emphasized that compliance with QA procedures is "mandatory" and provided examples of "DO's and Don't's".

22. On August 1, 1983, Assistant Project General Manager P.F. Foscolo responded to our Phase II hanger surveillance and the NRC concerns by providing for significant changes in the hanger program. A stop work order had been issued on July 29, 1983, halting all work and inspection on seismic hangers. Phases I and II were eliminated; work and QA procedures were substantially changed, including particularly WP-110, and TP-34, which provided for hanger installation and inspection. In particular, CP&L noted that hanger documentation should be checked to insure "that the surplus hangers number/purchase order number is legitimate". At that time only about 300 of the 18,000 seismic pipe hangers had successfully passed inspection. I remain concerned about the use of false documentation on such safety grade materials. Has any effort been made to investigate the cause or extent of this problem at the Harris Plant?

23. On August 22, 1983, Alex Fuller presented me with a Memo signed by himself and Ed Willett reflecting their decision to place me on probation due to what was described as a decline in my performance "over the past year and one half". Of course, Fuller himself had promoted me to Engineer less than a year earlier! I believe that this action was in retaliation for my expression of safety concerns. I refused to acknowledge Fuller's false charges, and, instead I wrote: "I do not agree with this statement", on the memo. Ironically one of the actions required of me over the next 6 months was: "... problems that are detected must be reported accurately and timely.". CP&L management

demonstrated time and time again that they wanted us to look the other way when we encountered deficiencies. "Problems" were the last thing they wanted reported.

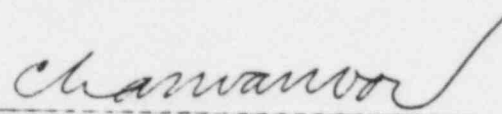
24. In the Fall of 1983 I met with CP&L Executive Vice President E.E. Utley in Raleigh. I carried with me all my documentation of safety concerns and deficiencies, including those described here. I explained these concerns to Mr. Utley and the responses to them by my supervision. He showed little interest in anything I said or any document I showed him. He did not ask questions regarding my concerns or my treatment. He said I was a "good man" and that I should go back to work. He promised to help. He did not. I performed all work assigned to me over the next 6 months, and have retained documentation of my satisfactory performance under increasing pressure and intimidation by my supervisor, Alex Fuller. All my requests for transfer were refused. At the end of 6 months, I was called before Messers Foscolo, Rager, Ferguson and Fuller who told me that if I did not resign I would be terminated. They urged me to make it easier on myself by resigning; and said I would have a hard time getting another nuclear industry job if I did not resign. I told them I had done nothing wrong and would not resign. That afternoon, February 29, 1984, Fuller escorted me like a prisoner out the gate without even a chance to exchange farewells with my colleagues and friends.

25. I have very serious concerns regarding the breakdown of Quality Assurance at the Shearon Harris Nuclear Power Plant. There is a great deal of pressure on the Construction Inspection (CI) organization which lacks the freedom and independence from cost and scheduling considerations to effectively perform their QA duties of identifying and documenting deficiencies. As an Engineer I was always aware of the conflict between production and quality. Both CI and Construction Engineering reported to the Senior Resident Engineer.

26. CP&L and its prime contractor Daniel employ a confusing and ineffective array of different documenting systems for controlling nonconformances such as DR's, DDR's, NCR's FCR/PW's and such commonly used uncontrolled paperwork as Memos and "Speed Letters". Few of us were trained in which procedures were to be used when. Mostly we wrote things down informally. I doubt that the QA vault contains even a fraction of the deficiencies in safety systems which have been identified. In order to ensure that I communicated effectively in my work - particularly since English is my second language - I made it a practice to retain full documentation of work in my areas. I have "Speed Letters" reflecting numerous deficiencies which I am sure have been discarded by CP&L. I also have retained copies of many quality documents which I believe have not been properly controlled by CP&L. ✓

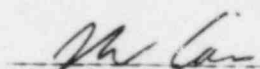
I hope that someone will seriously investigate my safety concerns. I know that many other present and former Harris employees, including craft and other engineers, share my concerns. However, they are not eager to share my experience in order to voice those concerns, since they have every reason to fear the same kind of retaliation that I have experienced. I hope that this statement of mine will make it easier for the others to speak more freely.

I am willing to assist in identifying and correcting quality assurance and workmanship problems in any manner necessary to ensure that the Shearon Harris Nuclear Power Plant does not harm the public.



CHAN VAN VO

Sworn to and subscribed before me
this the 6 day of Oct, 1984.



NOTARY PUBLIC

My Commission expires: 8/12/86

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demonstrated time and time again that they wanted us to look the other way when we encountered deficiencies. "Problems" were the last thing they wanted reported.

24. In the Fall of 1983 I met with CP&L Executive Vice President E.E. Utley in Raleigh. I carried with me all my documentation of safety concerns and deficiencies, including those described here. I explained these concerns to Mr. Utley and the responses to them by my supervision. He showed little interest in anything I said or any document I showed him. He did not ask questions regarding my concerns or my treatment. He said I was a "good man" and that I should go back to work. He promised to help. He did not. I performed all work assigned to me over the next 6 months, and have retained documentation of my satisfactory performance under increasing pressure and intimidation by my supervisor, Alex Fuller. All my requests for transfer were refused. At the end of 6 months, I was called before Messers Foscolo, Rager, Ferguson and Fuller who told me that if I did not resign I would be terminated. They urged me to make it easier on myself by resigning; and said I would have a hard time getting another nuclear industry job if I did not resign. I told them I had done nothing wrong and would not resign. That afternoon, February 29, 1984, Fuller escorted me like a prisoner out the gate without even a chance to exchange farewells with my colleagues and friends.

25. I have very serious concerns regarding the breakdown of Quality Assurance at the Shearon Harris Nuclear Power Plant. There is a great deal of pressure on the Construction Inspection (CI) organization which lacks the freedom and independence from cost and scheduling considerations to effectively perform their QA duties of identifying and documenting deficiencies. As an Engineer I was always aware of the conflict between production and quality. Both CI and Construction Engineering reported to the Senior Resident Engineer.

26. CP&L and its prime contractor Daniel employ a confusing and ineffective array of different documenting systems for controlling nonconformances such as DR's, DDR's, NCR's FCR/PW's and such commonly used uncontrolled paperwork as Memos and "Speed Letters". Few of us were trained in which procedures were to be used when. Mostly we wrote things down informally. I doubt that the QA vault contains even a fraction of the deficiencies in safety systems which have been identified. In order to ensure that I communicated effectively in my work - particularly since English is my second language - I made it a practice to retain full documentation of work in my areas. I have "Speed Letters" reflecting numerous deficiencies which I am sure have been discarded by CP&L. I also have retained copies of many quality documents which I believe have not been properly controlled by CP&L.

I hope that someone will seriously investigate my safety concerns. I know that many other present and former Harris employees, including craft and other engineers, share my concerns. However, they are not eager to share my experience in order to voice those concerns, since they have every reason to fear the same kind of retaliation that I have experienced. I hope that this statement of mine will make it easier for the others to speak more freely.

I am willing to assist in identifying and correcting quality assurance and workmanship problems in any manner necessary to ensure that the Shearon Harris Nuclear Power Plant does not harm the public.

Chan Van Vo
CHAN VAN VO

Sworn to and subscribed before me
this the 6 day of Oct, 1984.

[Signature]
NOTARY PUBLIC

My Commission expires: 8/12/86

AFFIDAVIT

My name is Chan Van Vo. I am also known as Van Vo Davis. I am giving this statement to Robert Guild, Attorney-at-Law, of Charleston, South Carolina, who has identified himself to me as a representative of the Government Accountability Project. I was employed for almost five years by Carolina Power & Light Company in the construction of the Shearon Harris Nuclear Power Plant near Raleigh, North Carolina, most recently in the position of Engineer where I was responsible for ensuring that the installation of pipe and pipe-hangers was in accordance with approved plans, specifications, codes, procedures and schedules. Although I am not opposed to nuclear power, my experience with CP&L causes me to have serious doubts about CP&L's commitment to nuclear safety and about the as-built quality of construction at the Shearon Harris Nuclear Power Plant. On many occasions I have brought safety concerns and construction deficiencies to the attention of my supervisors only to face lack of interest and hostility; and in one case only to find my documentation of a serious safety concern discarded in my supervisor's trash can the next day. I have taken these concerns up my chain of command to senior management at CP&L on several occasions only to be told that 'this is not Vietnam, here at CP&L you are only a soldier who must follow orders.' This lack of interest in my safety concerns was followed by a pattern of harassment, intimidation, pressure to resign, and ultimately my termination. I have filed a

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complaint against CP&L with the U.S. Department of Labor for violation of the Employee Protection Provisions of The Energy Reorganization Act because of the Company's discrimination against me for raising safety concerns. I was only trying to do my job to the best of my ability according to my professional engineering training. I believed that the Quality Assurance regulations of the Nuclear Regulatory Commission, 10 CFR Part 50, Appendix B, and the Company's written policies and procedures meant what they said. However, I have learned that CP&L has very little interest in seeing that the Shearon Harris Nuclear Power Plant is built "by the book." Workers at the site are expected to "look the other way" when they see safety violations or risk losing their jobs. I hope that my concerns will be fully investigated and that effective action will be taken to ensure that the public health and safety is protected before the Harris plant is allowed to operate.

2. I was born in South Vietnam and became a U.S. citizen after I came to this country in 1975. I hold a degree in Math, Science and Physics from the French College and a Bachelor of Science degree in Mechanical Engineering with a specialty in Fluid Mechanics from Phutho Higher Technical University, Saigon, South Vietnam. In order to supplement my education for engineering certification in this country, I have taken courses in civil and mechanical engineering from Fayetteville Technical Institute and International Correspondence Schools. I am currently an MBA candidate at Campbell University, Buies Creek, North

Carolina, where I am concentrating in Production Management. I expect to receive my degree in May 1985. I am an Associate member of the American Society of Mechanical Engineers.

3. I was first employed by CP&L at the Harris site on April 10, 1979, as an Engineering Aide I, in the Mechanical Department under E.M. "Ed" McLean, where I was responsible for preparing requisitions for site material procurement and for performing inspections of mechanical installations in all parts of the plant. On October 10, 1979, I was promoted to Engineering Technician II where I was assigned responsibilities for piping and pipe-hangers. After I finished the ICS program for equivalence with a 4 year degree in mechanical engineering and based on my "outstanding" performance, I was promoted to Associate Engineer, effective October 4, 1980. In this position I performed material take-offs, prepared purchase specifications and material purchase orders for piping; and was in charge of field support for radwaste piping in the Waste Processing Building. In April, 1982, I was transferred to work for the Lead Hanger Engineer, A.G. "Alex" Fuller, where I was responsible for providing technical support to the hanger crafts including the preparation and interpretation of design documents and work procedures, investigation of field problems, preparation of field changes such as Field Change Requests/Permanent Waivers (FCR/PW), and the resolution of nonconformances.

4. Alex Fuller and his immediate superior, Resident Mechanical Engineer E.E. "Ed" Willett, particularly demonstrated a lack of commitment to nuclear safety and a general lack of knowledge and competence to perform their important engineering and management responsibilities. The Resident Engineering Unit carries responsibility for all site engineering functions at the Harris Plant, under the direction of a CP&L employee, the Senior Resident Engineer, a position held by A. Lucas until his removal for poor performance in early 1983. Under Lucas were the various engineering disciplines and the Construction Inspection (CI) organizations. Ed Willett took over the Mechanical Engineering group in 1980. He originally supervised activities in the piping, hangers, equipment and heating-ventilation-air conditioning (HVAC) areas; until equipment installation and HVAC were taken away from him in early 1983, and hanger work was taken away in October, 1983, because of mounting problems and growing recognition of Willett's lack of ability to effectively manage his work. Willett brought in his friend, Alex Fuller, to supervise the hanger program in late 1981, despite Fuller's lack of qualifications for this work. Fuller's training was in civil engineering and his only previous work experience was in dam construction with CP&L. As problems mounted in the hanger area, Al Rager was brought in over Alex Fuller. This did not help at all since Rager lacked any engineering experience. Rager has

since been placed in charge of the Construction Inspection program. This recent move will do nothing to improve the Quality Assurance program at the Harris Plant.

5. In mid-August 1982 I was performing my normal duties checking the installation of pipe-hangers in the Turbine Building. While doing so I observed several pipefitters attempting to fit a 24" carbon steel piping line to the discharge nozzle of Steam Generator Feed Water Pump 1A-NNS. This piping system is of large diameter pipe through which feedwater is pumped back from the turbine condensor to the steam generator which is located inside the Reactor Building containment. The system, including the piping and associated valves and pumps, is classified as Secondary System, Safety Category 4, Seismic Category 1. The integrity of reactor temperature and pressure control is dependent upon the effective function of these pumps, valves and piping, which are, therefore, nuclear safety significant. The 24" carbon steel pipe in question extended on a horizontal run in the direction of the length of the Turbine Building until it reached a position above the discharge nozzle of the pump in question where it dropped vertically toward the pump. Since the pipe-to-pump flange connection was the last remaining fit-up to be made in the pipe run, I was particularly concerned that proper alignment of the pipe to the flange was maintained in order to assure that no improper stresses were imparted to the pump.

6. To assure proper fit-up, I identified the fitters' Foreman and requested that he ask his General Foreman, Danny McGhee, to request Millwright assistance in fitting this connection. Millwrights are responsible for the installation of mechanical equipment such as this SGFW pump. The Foreman did as I requested, but reported back that McGhee had said go ahead without the Millwrights. I returned to my office where I called Piping Engineer D.M. Dasburg to whom I related the problem.

7. Several days later I encountered the same crew of pipefitters in the Turbine Building in the process of actually fitting up this pipe to the pump nozzle. The fitters had rigged a horizontal "come-along" from the pipe to a nearby beam and were "cold pulling" the pipe using extreme force which I would estimate at several thousand pounds in order to force fit the connection. When I encountered them they had almost completed the entire weld. No Millwright was present, nor did I observe any Quality Control, Construction Inspector, or supervisory authority present to witness the "cold pull" fit-up of this pipe.

8. About one week later I observed two Millwrights, a Mr. Strickland, Company No. 50-185 and Mr. Bass, Company No. 50-105, performing an alignment test on the subject Feedwater Pump. One of them said to me, "Mr. Chan they really screwed up this pump!" The Millwrights were measuring the pump shaft alignment using an instrument called a "Dial Indicator" which measures in thousands of an inch. Procedure calls for an alignment tolerance of $\pm .005$. The Millwrights reported to

me the results of alignment measurements over a three-day period under hot and cold temperature conditions. Their notes reflected a severe misalignment measurement of as much as + .108", - .078" under hot conditions; and + .108", - .075" under cold conditions!

9. On August 25, 1982, I explained this problem to my Supervisor, Alex Fuller. I asked him how I should document and report this safety deficiency; and whether I should inform Resident Mechanical Engineer Ed Willett. Fuller told me to document the problem on a "Speed Letter" which he said he would route to Willett. "Speed Letters" are commonly used at the Harris site for not only routine internal communication, but also in place of prescribed Quality Assurance documentation. Use of "Speed Letters" is not prescribed in any procedures for the documentation of construction deficiencies, nor are "Speed Letters" controlled documents which are normally part of the Nuclear Plant's permanent quality records. I documented the cold pulling misalignment of the Steam Generator Feedwater Pump as I was instructed in such a "Speed Letter" to Alex Fuller, "Subject: Loads Imposed on the Steam Generator Feed Pump 1A-NNS," which detailed my observations and attached a diagram showing the Dial Indicator alignment readings and the Millwrights' names and Company numbers. I closed my message: "Please investigate." The very next day I happened to find my "Speed Letter" with attached diagram discarded in Fuller's trash can!

10. The following day I spoke with R.T. "Roy" Settle, a Daniel Construction employee who serves as Equipment Installation Supervisor. I told him of the problem and showed him my discarded "Speed Letter". Roy said that he had told Ed Willett of the problem three times. He quoted Willett as cursing him and adding: "I don't want to hear any more about that problem. If something happens I will fire you first!"

11. Several months later on October 14, 1982, I observed Millwrights re-checking the alignment of the subject pump. They gave me a note reflecting the results of their Dial Indicator readings: + .098", - .075". I showed this note to Alex Fuller. He said nothing. The following day I showed it to Ed Willett. He said tell Daren Dsaburg the Piping Engineer. I already had. I gave a copy of the note to Dasburg.

12. Since I first raised my concern regarding the cold pulling of this pipe and its effect on the feedwater pump, I became aware of increasing pressure from Fuller and Willett. I sought a transfer out from under Fuller and Willett thinking that a change in supervision would ease this retaliation. Willett refused to approve my transfer request. I pursued my concern regarding the mishandling of the pump deficiency and my request for transfer to avoid the mistreatment. Both Senior Resident Engineer A. Lucas and Harris Project Manager Parsons showed no interest and offered no help. They sent me back to Willett.

13. In November or December 1982 I went to see CP&L Vice President, M.A. McDuffie. I told him that I was just trying to serve my Company. I explained to him all about my report of the pump deficiency. I showed him my "Speed Letter" and diagram and the Millwrights' notes; I told him of Roy Settle's comments. He showed no reaction and asked no questions. I told him of the retaliation and pressure from Fuller and Willett. He told me that I was a good man, that the Company needed me. He said he would help and that I should go back and request a transfer. I did as he told me; but my transfer was refused. Mr. McDuffie did not help me, nor did he investigate my safety concerns.

14. In March, Alex Fuller increased the level of pressure on me and threatened me with termination of my job. He subjected me to "formal counseling" regarding my job performance, including a requirement that I improve my "understanding and explanation of problems." After I requested Project Manager Parsons' help in allowing me to rebut Fuller's allegations, Fuller and Willett backed down and dropped their charges.

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Carolina, where I am concentrating in Production Management. I expect to receive my degree in May 1985. I am an Associate member of the American Society of Mechanical Engineers.

3. I was first employed by CP&L at the Harris site on April 10, 1979, as an Engineering Aide 1, in the Mechanical Department under E.M. "Ed" McLean, where I was responsible for preparing requisitions for site material procurement and for performing inspections of mechanical installations in all parts of the plant. On October 10, 1979, I was promoted to Engineering Technician II where I was assigned responsibilities for piping and pipe-hangers. After I finished the ICS program for equivalence with a 4 year degree in mechanical engineering and based on my "outstanding" performance, I was promoted to Associate Engineer, effective October 4, 1980. In this position I performed material take-offs, prepared purchase specifications and material purchase orders for piping; and was in charge of field support for radwaste piping in the Waste Processing Building. In April, 1982, I was transferred to work for the Lead Hanger Engineer, A.G. "Alex" Fuller, where I was responsible for providing technical support to the hanger crafts including the preparation and interpretation of design documents and work procedures, investigation of field problems, preparation of field changes such as Field Change Requests/Permanent Waivers (FCR/PW), and the resolution of nonconformances.

4. Alex Fuller and his immediate superior, Resident Mechanical Engineer E.E. "Ed" Willett, particularly demonstrated a lack of commitment to nuclear safety and a general lack of knowledge and competence to perform their important engineering and management responsibilities. The Resident Engineering Unit carries responsibility for all site engineering functions at the Harris Plant, under the direction of a CP&L employee, the Senior Resident Engineer, a position held by A. Lucas until his removal for poor performance in early 1983. Under Lucas were the various engineering disciplines and the Construction Inspection (CI) organizations. Ed Willett took over the Mechanical Engineering group in 1980. He originally supervised activities in the piping, hangers, equipment and heating-ventilation-air conditioning (HVAC) areas; until equipment installation and HVAC were taken away from him in early 1983, and hanger work was taken away in October, 1983, because of mounting problems and growing recognition of Willett's lack of ability to effectively manage his work. Willett brought in his friend, Alex Fuller, to supervise the hanger program in late 1981, despite Fuller's lack of qualifications for this work. Fuller's training was in civil engineering and his only previous work experience was in dam construction with CP&L. As problems mounted in the hanger area, Al Rager was brought in over Alex Fuller. This did not help at all since Rager lacked any engineering experience. Rager has

since been placed in charge of the Construction Inspection program. This recent move will do nothing to improve the Quality Assurance program at the Harris Plant.

5. In mid-August 1982 I was performing my normal duties checking the installation of pipe-hangers in the Turbine Building. While doing so I observed several pipefitters attempting to fit a 24" carbon steel piping line to the discharge nozzle of Steam Generator Feed Water Pump 1A-NNS. This piping system is of large diameter pipe through which feedwater is pumped back from the turbine condensor to the steam generator which is located inside the Reactor Building containment. The system, including the piping and associated valves and pumps, is classified as Secondary System, Safety Category 4, Seismic Category 1. The integrity of reactor temperature and pressure control is dependent upon the effective function of these pumps, valves and piping, which are, therefore, nuclear safety significant. The 24" carbon steel pipe in question extended on a horizontal run in the direction of the length of the Turbine Building until it reached a position above the discharge nozzle of the pump in question where it dropped vertically toward the pump. Since the pipe-to-pump flange connection was the last remaining fit-up to be made in the pipe run, I was particularly concerned that proper alignment of the pipe to the flange was maintained in order to assure that no improper stresses were imparted to the pump.

6. To assure proper fit-up, I identified the fitters' Foreman and requested that he ask his General Foreman, Danny McGhee, to request Millwright assistance in fitting this connection. Millwrights are responsible for the installation of mechanical equipment such as this SGFW pump. The Foreman did as I requested, but reported back that McGhee had said go ahead without the Millwrights. I returned to my office where I called Piping Engineer D.M. Dasburg to whom I related the problem.

7. Several days later I encountered the same crew of pipefitters in the Turbine Building in the process of actually fitting up this pipe to the pump nozzle. The fitters had rigged a horizontal "come-along" from the pipe to a nearby beam and were "cold pulling" the pipe using extreme force which I would estimate at several thousand pounds in order to force fit the connection. When I encountered them they had almost completed the entire weld. No Millwright was present, nor did I observe any Quality Control, Construction Inspector, or supervisory authority present to witness the "cold pull" fit-up of this pipe.

8. About one week later I observed two Millwrights, a Mr. Strickland, Company No. 50-185 and Mr. Bass, Company No. 50-105, performing an alignment test on the subject Feedwater Pump. One of them said to me, "Mr. Chan they really screwed up this pump!" The Millwrights were measuring the pump shaft alignment using an instrument called a "Dial Indicator" which measures in thousands of an inch. Procedure calls for an alignment tolerance of $\pm .005$. The Millwrights reported to

me the results of alignment measurements over a three-day period under hot and cold temperature conditions. Their notes reflected a severe misalignment measurement of as much as + .108", - .078" under hot conditions; and + .108", - .075" under cold conditions!

9. On August 25, 1982, I explained this problem to my Supervisor, Alex Fuller. I asked him how I should document and report this safety deficiency; and whether I should inform Resident Mechanical Engineer Ed Willett. Fuller told me to document the problem on a "Speed Letter" which he said he would route to Willett. "Speed Letters" are commonly used at the Harris site for not only routine internal communication, but also in place of prescribed Quality Assurance documentation. Use of "Speed Letters" is not prescribed in any procedures for the documentation of construction deficiencies, nor are "Speed Letters" controlled documents which are normally part of the Nuclear Plant's permanent quality records. I documented the cold pulling misalignment of the Steam Generator Feedwater Pump as I was instructed in such a "Speed Letter" to Alex Fuller, "Subject: Loads Imposed on the Steam Generator Feed Pump 1A-NNS," which detailed my observations and attached a diagram showing the Dial Indicator alignment readings and the Millwrights' names and Company numbers. I closed my message: "Please investigate." The very next day I happened to find my "Speed Letter" with attached diagram discarded in Fuller's trash can!

10. The following day I spoke with R.T. "Roy" Settle, a Daniel Construction employee who serves as Equipment Installation Supervisor. I told him of the problem and showed him my discarded "Speed Letter". Roy said that he had told Ed Willett of the problem three times. He quoted Willett as cursing him and adding: "I don't want to hear any more about that problem. If something happens I will fire you first!"

11. Several months later on October 14, 1982, I observed Millwrights re-checking the alignment of the subject pump. They gave me a note reflecting the results of their Dial Indicator readings: + .098", - .075". I showed this note to Alex Fuller. He said nothing. The following day I showed it to Ed Willett. He said tell Daren Dsaburg the Piping Engineer. I already had. I gave a copy of the note to Dasburg.

12. Since I first raised my concern regarding the cold pulling of this pipe and its effect on the feedwater pump, I became aware of increasing pressure from Fuller and Willett. I sought a transfer out from under Fuller and Willett thinking that a change in supervision would ease this retaliation. Willett refused to approve my transfer request. I pursued my concern regarding the mishandling of the pump deficiency and my request for transfer to avoid the mistreatment. Both Senior Resident Engineer A. Lucas and Harris Project Manager Parsons showed no interest and offered no help. They sent me back to Willett.

13. In November or December 1982 I went to see CP&L Vice President, M.A. McDuffie. I told him that I was just trying to serve my Company. I explained to him all about my report of the pump deficiency. I showed him my "Speed Letter" and diagram and the Millwrights' notes; I told him of Roy Settle's comments. He showed no reaction and asked no questions. I told him of the retaliation and pressure from Fuller and Willett. He told me that I was a good man, that the Company needed me. He said he would help and that I should go back and request a transfer. I did as he told me; but my transfer was refused. Mr. McDuffie did not help me, nor did he investigate my safety concerns.

14. In March, Alex Fuller increased the level of pressure on me and threatened me with termination of my job. He subjected me to "formal counseling" regarding my job performance, including a requirement that I improve my "understanding and explanation of problems." After I requested Project Manager Parsons' help in allowing me to rebut Fuller's allegations, Fuller and Willett backed down and dropped their charges.

15. In April, 1983, I went to see Vice President McDuffie again for help. This time he sent me back without any action or help. Mr. McDuffie said, "This is the U.S. This is CP&L, not Vietnam. Here Ed Willett is your Lieutenant and you are only a soldier. You must obey orders." During the Spring the pressure from Fuller continued to increase. I was assigned more and more work: hangers in the diesel generator building, the turbine

building, the reactor building, the auxiliary building and the waste processing buliding. Much more work than my fair share.

16. In June, 1983, the NRC began to identify serious problems in the hanger installation program at Harris. In a June 10, 1983, exit meeting with site management, NRC Senior Mechanical/Welding Engineer J.W. York noted problems in the hanger inspection area with particular regard to missed deficiencies and material control problems. Several weeks later Alex Fuller assigned me to work with the QA Surveillance Group under the direction of QA Engineer "Buck" Williams. Our task was to begin an evaluation of the adequacy of the existing pipe hanger installation program. Fuller instructed me to select, at random, about 50 hanger packages for review, with particular emphasis on material substitutions, use of surplus materials, and identification of Construction Material Requisitions (CMR's) that did not match the hanger materials actually installed. These areas represented significant problems which the NRC had observed and which indicated the potential need for costly and time consuming reinspection and rework.

17. At Buck Williams' request I pulled 50 hanger packages for seismic hangers on safety-related systems which were supposed to be Phase II complete: installed, inspected, and found acceptable for turn over to operations with only the final Phase III stress analysis yet to be performed. Of these, the QA Surveillance Group inspected 12 at random. In

the course of this review numerous serious deficiencies were noted which had not been identified, documented or corrected although these hangers had all received final approval by CI and CP&L QA/QC.

18. By "Speed Letter" of July 18, 1983, I transmitted to Alex Fuller and Ed Willett my completed "Hanger Phase II Verification Checklists" for these sample hanger packages. Fuller was very angry that such a large number of deficiencies had been identified, and he blamed me for documenting all of these problems. In particular he focused on the problem of material traceability which we had identified on many of these hangers. For example on pipe hanger A-2-236-1-CC-H-105, a "Speed Letter" of 4/25/80 indicates that a 1" x 10" x 10" plate was obtained from Purchase Order 21022 and installed as per drawing. PO 21022 was cited as the source for material in many of the hangers we examined. I explained to Fuller that I had researched this PO with QA Inspector Jay Vincent and another man on the Surveillance team. We could find no documentation of this PO in the QA records vault. In the Purchasing Department, Robert Babb informed us that the Purchasing Log showed that PO 21022 had been voided and that no materials had ever been received through that order! We could not determine where these hanger materials had come from or document that such materials were of acceptable quality for nuclear safety application.

19. Later that afternoon Fuller called me into his office. He called me "a liar" and said that he had found documentation for PO 21022 in the warehouse. He accused me of not doing my job properly. I asked him to wait for the issuance of the Deficiency and Disposition Report (DDR) by the QA Surveillance Group which would confirm my report of material traceability problems and, in particular, the apparent falsification of documentation involved in the repeated use of void PO 21022 to supply traceability for hanger materials of unknown origin. I returned to my work.

20. DDR 1775 was issued by Buck Williams on July 26, 1983, documenting the QA Surveillance findings, as well as my report to Fuller and Willett regarding the void PO. That DDR states that "PO # 21022 was voided and no documentation exists that material was received." It also states: "A further investigation of PO # 21022 revealed that material from this PO was used on pipe hanger 1-CC-H-1242, 1-RH-H-183, and numerous other pipe hangers not listed here, although PO # 21022 was voided . . . " DDRs 1776, 1784, 1795 and Nonconformance Report (NCR) QA-255 also document problems we found in the hanger verification.

21. In response to my report to Fuller and Willett of QA failures, Willett issued a Memo July 29, 1983, "Subject: Shearon Harris Nuclear Power Plant - Compliance with Project QA Programs and Procedures", which emphasized that compliance with QA procedures is "mandatory" and provided examples of "DO's and Don't's".

22. On August 1, 1983, Assistant Project General Manager P.F. Foscolo responded to our Phase II hanger surveillance and the NRC concerns by providing for significant changes in the hanger program. A stop work order had been issued on July 29, 1983, halting all work and inspection on seismic hangers. Phases I and II were eliminated; work and OA procedures were substantially changed, including particularly WP-110, and TP-34, which provided for hanger installation and inspection. In particular, CP&L noted that hanger documentation should be checked to insure "that the surplus hangers number/purchase order number is legitimate". At that time only about 300 of the 18,000 seismic pipe hangers had successfully passed inspection. I remain concerned about the use of false documentation on such safety grade materials. Has any effort been made to investigate the cause or extent of this problem at the Harris Plant?

23. On August 22, 1983, Alex Fuller presented me with a Memo signed by himself and Ed Willett reflecting their decision to place me on probation due to what was described as a decline in my performance "over the past year and one half". Of course, Fuller himself had promoted me to Engineer less than a year earlier! I believe that this action was in retaliation for my expression of safety concerns. I refused to acknowledge Fuller's false charges, and, instead I wrote: "I do not agree with this statement", on the memo. Ironically one of the actions required of me over the next 6 months was: ". . . problems that are detected must be reported accurately and timely.". CP&L management

demonstrated time and time again that they wanted us to look the other way when we encountered deficiencies. "Problems" were the last thing they wanted reported.

24. In the Fall of 1983 I met with CP&L Executive Vice President E.E. Utley in Raleigh. I carried with me all my documentation of safety concerns and deficiencies, including those described here. I explained these concerns to Mr. Utley and the responses to them by my supervision. He showed little interest in anything I said or any document I showed him. He did not ask questions regarding my concerns or my treatment. He said I was a "good man" and that I should go back to work. He promised to help. He did not. I performed all work assigned to me over the next 6 months, and have retained documentation of my satisfactory performance under increasing pressure and intimidation by my supervisor, Alex Fuller. All my requests for transfer were refused. At the end of 6 months, I was called before Messers Foscolo, Rager, Ferguson and Fuller who told me that if I did not resign I would be terminated. They urged me to make it easier on myself by resigning; and said I would have a hard time getting another nuclear industry job if I did not resign. I told them I had done nothing wrong and would not resign. That afternoon, February 29, 1984, Fuller escorted me like a prisoner out the gate without even a chance to exchange farewells with my colleagues and friends.

25. I have very serious concerns regarding the breakdown of Quality Assurance at the Shearon Harris Nuclear Power Plant. There is a great deal of pressure on the Construction Inspection (CI) organization which lacks the freedom and independence from cost and scheduling considerations to effectively perform their QA duties of identifying and documenting deficiencies. As an Engineer I was always aware of the conflict between production and quality. Both CI and Construction Engineering reported to the Senior Resident Engineer.

26. CP&L and its prime contractor Daniel employ a confusing and ineffective array of different documenting systems for controlling nonconformances such as DR's, DDR's, NCR's FCR/PW's and such commonly used uncontrolled paperwork as Memos and "Speed Letters". Few of us were trained in which procedures were to be used when. Mostly we wrote things down informally. I doubt that the QA vault contains even a fraction of the deficiencies in safety systems which have been identified. In order to ensure that I communicated effectively in my work - particularly since English is my second language - I made it a practice to retain full documentation of work in my areas. I have "Speed Letters" reflecting numerous deficiencies which I am sure have been discarded by CP&L. I also have retained copies of many quality documents which I believe have not been properly controlled by CP&L.

I hope that someone will seriously investigate my safety concerns. I know that many other present and former Harris employees, including craft and other engineers, share my concerns. However, they are not eager to share my experience in order to voice those concerns, since they have every reason to fear the same kind of retaliation that I have experienced. I hope that this statement of mine will make it easier for the others to speak more freely.

I am willing to assist in identifying and correcting quality assurance and workmanship problems in any manner necessary to ensure that the Shearon Harris Nuclear Power Plant does not harm the public.

Chan Van Vo
CHAN VAN VO

Sworn to and subscribed before me
this the 6 day of Oct, 1984.

[Signature]
NOTARY PUBLIC

My Commission expires: 8/12/86

DEPARTMENT OF LABOR

Office of the Secretary

25 CFR Part 24

Procedures for the Handling of
Discrimination Complaints Under
Federal Employee Protection Statutes

AGENCY: Department of Labor.

ACTION: Final rule.

SUMMARY: This rule establishes procedures for the handling of employee complaints of discrimination under the employee protection provisions of the following Federal statutes: Safe Drinking Water Act, Water Pollution Control Act, Toxic Substances Control Act, Solid Waste Disposal Act, Clean Air Act, Energy Reorganization Act of 1974.

EFFECTIVE DATE: January 8, 1980.

FOR FURTHER INFORMATION CONTACT: George M. Lilly, Counsel, Employee Benefits Division, Office of the Solicitor, U.S. Department of Labor, Suite N2716, NDOL Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210, (202) 357-0437.

SUPPLEMENTARY INFORMATION: Recent Congressional concern for the protection of "whistle-blower" employees from discriminatory actions by their employers has led to the enactment of special employee protection provisions in several federal statutes.

Responsibility for the handling of these protections has been lodged with the Secretary of Labor. The Secretary of Labor has determined that uniform procedures are required for the orderly resolution of the complaints now being filed with the Secretary pursuant to these several statutory provisions.

The Department of Labor has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and Department of Labor Guidelines (44 FR 5570). This document was prepared under the supervision of Laurie M. Streeter, Associate Solicitor, Division of Employee Benefits.

Accordingly, since this rule relates only to procedural matters required by statute for which no proposed rulemaking is required, Subtitle A of Title 29 of the Code of Federal Regulations is hereby amended by the addition of the following new Part 24, which provides as follows:

PART 24—PROCEDURES FOR THE
HANDLING OF DISCRIMINATION
COMPLAINTS UNDER FEDERAL
EMPLOYEE PROTECTION STATUTES

Sec.

- 24.1 Purpose and scope.
- 24.2 Obligations and prohibited acts.
- 24.3 Complaint.
- 24.4 Investigations.
- 24.5 Hearings.
- 24.6 Decisions and orders.
- 24.7 Judicial review.
- 24.8 Enforcement proceedings.
- 24.9 Exception.

Authority: 42 U.S.C. 300j-9(i); 33 U.S.C. 1367; 15 U.S.C. 2622; 42 U.S.C. 6971; 42 U.S.C. 7622; 42 U.S.C. 5851.

§ 24.1 Purpose and scope.

(a) This part implements the several Federal employee protection provisions for which the Secretary of Labor has been given responsibility pursuant to the following statutes: Safe Drinking Water Act, 42 U.S.C. 300j-9(i); Water Pollution Control Act, 33 U.S.C. 1367; Toxic Substances Control Act, 15 U.S.C. 2622; Solid Waste Disposal Act, 42 U.S.C. 6971; Clean Air Act, 42 U.S.C. 7622; Energy Reorganization Act of 1974, 42 U.S.C. 5851.

(b) Procedures are established by this part pursuant to the federal statutory provisions listed above, for the expeditious handling of complaints by employees, or persons acting on their behalf, of discriminatory action by employers.

§ 24.2 Obligations and prohibited acts.

(a) The several statutory employee protection provisions listed in § 24.1, above, provide that no employer subject to the provisions of the Federal statute of which these protective provisions are a part may discharge any employee or otherwise discriminate against any employee with respect to the employee's compensation, terms, conditions, or privileges of employment because the employee, or any person acting pursuant to the employee's request, engaged in any of the activities specified in subsection (b) below.

(b) Any person is deemed to have violated the particular federal law and these regulations if such person intimidates, threatens, restrains, coerces, blacklists, discharges, or in any other manner discriminates against any employee who has

(1) commenced, or caused to be commenced, or is about to commence or cease to be commenced a proceeding under one of the Federal statutes listed in § 24.1 or a proceeding for the administration or enforcement of any requirement imposed under such Federal statute;

(2) testified or is about to testify in any such proceeding; or

(3) assisted or participated, or is about to assist or participate in any manner in such a proceeding or in any other action to carry out the purposes of such Federal statute.

§ 24.3 Complaint.

(a) *Who may file.* An employee who believes that he or she has been discriminated against by an employer in violation of any of the statutes listed in § 24.1(a) may file, or have another person file on his or her behalf, a complaint alleging such discrimination.

(b) *Time of filing.* Any complaint shall be filed within 30 days after the occurrence of the alleged violation. For the purpose of determining timeliness of filing, a complaint filed by mail shall be deemed filed as of the date of mailing.

(c) *Form of complaint.* No particular form of complaint is required, except that a complaint must be in writing and should include a full statement of the acts and omissions, with pertinent dates, which are believed to constitute the violation.

(d) *Place of filing.* A complaint may be filed in person or by mail with the Office of the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor. The address of the Administrator's office is Room S3502, 200 Constitution Avenue NW., Washington, D.C. 20210. A complaint may also be filed at any local office of the Wage and Hour Division. The address of such local offices may be found in local telephone directories.

§ 24.4 Investigations

(a) Upon receipt of a complaint under this part, the Administrator shall notify the person named in the complaint, and the appropriate office of the Federal agency charged with the administration of the affected program of its filing.

(b) The Administrator shall, on a priority basis, investigate and gather data concerning such case, and as part of the investigation may enter and inspect such places and records (and make copies thereof), may question persons being proceeded against and other employees of the charged employer, and may require the production of any documentary or other evidence deemed necessary to determine whether a violation of the law involved has been committed.

(c) Investigations under this part shall be conducted in a manner which protects the confidentiality of any person other than the complainant who provides information on a confidential

basis, in accordance with Part 70 of this title.

(d)(1) Within 30 days of the receipt of a complaint, the Administrator shall complete the investigation, determine whether the alleged violation has occurred, and give notice of the determination which shall contain a statement of reasons for the findings and conclusions therein. Notice of the determination shall be given by certified mail to the complainant, the respondent, and to their representatives. At the same time the Administrator shall file with the Chief Administrative Law Judge, U.S. Department of Labor, the original complaint and a copy of the notice of determination.

(2)(i) If on the basis of the investigation the Administrator determines that the complaint is without merit, the notice of determination shall include, or be accompanied by notice to the complainant that the notice of determination shall become the final order of the Secretary denying the complaint unless within five calendar days of its receipt the complainant files with the Chief Administrative Law Judge a request by telegram for a hearing on the complaint. The notice shall give the address of the Chief Administrative Law Judge.

(ii) Copies of any request for a hearing shall be sent by the complainant to the respondent (employer) and to the Administrator.

(3)(i) If on the basis of the investigation the Administrator determines that the alleged violation has occurred, the notice of determination shall include an appropriate order to abate the violation, and notice to the respondent that the order shall become the final order of the Secretary unless within five calendar days of its receipt the respondent files with the Chief Administrative Law Judge a request by telegram for a hearing. An order issued pursuant to this subsection shall be in accordance with the relevant provisions of the statute violated. The notice shall give the address of the Chief Administrative Law Judge.

(ii) Copies of any request for a hearing shall be sent by the respondent (employer) to the complainant and to the Administrator.

§ 24.5 Hearings.

(a) *Notice of Hearing.* The administrative law judge to whom the case is assigned shall within seven calendar days following receipt of the request for hearing, notify the parties by certified mail, directed to the last known address of the parties, of a day, time and place for hearing. All parties shall be given at least five days notice of such

hearing. However, because of the time constraints imposed upon the Secretary by the above statutes, no requests for postponement shall be granted except for compelling reasons.

(b) *Consolidated Hearings.* When two or more hearings are to be held, and the same or substantially similar evidence is relevant and material to the matters at issue at each such hearing, the Chief Administrative Law Judge may, upon motion by any party or on his own or her own motion, order that a consolidated hearing be conducted. Where consolidated hearings are held, a single record of the proceedings shall be made and the evidence introduced in one case may be considered as introduced in the others, and a separate or joint decision shall be made, as appropriate.

(c) *Place of Hearing.* The hearing shall, where possible, be held at a place within 75 miles of the complainant's residence.

(d) *Right to Counsel.* In all proceedings under this part, the parties shall have the right to be represented by counsel.

(e) *Procedures, evidence and record.*

(1) *Evidence.* Formal rules of evidence shall not apply, but rules or principles designed to assure production of the most probative evidence available shall be applied. The administrative law judge may exclude evidence which is immaterial, irrelevant, or unduly repetitious.

(2) *Record of Hearing.* All hearings shall be open to the public and shall be mechanically or stenographically reported. All evidence upon which the administrative law judge relies for decision shall be contained in the transcript of testimony, either directly or by appropriate reference. All exhibits and other pertinent documents or records, either in whole or in material part, introduced as evidence, shall be marked for identification and incorporated into the record.

(3) *Oral argument; briefs.* Any party, upon request, may be allowed a reasonable time for presentation of oral argument and to file a prehearing brief or other written statement of fact or law. A copy of any such prehearing brief or other written statement shall be filed with the Chief Administrative Law Judge or the administrative law judge assigned to the case before or during the proceeding at which evidence is submitted to the administrative law judge and shall be served upon each other party. Post-hearing briefs will not be permitted except at the request of the administrative law judge. When permitted, any such brief shall be limited to the issue or issues specified

by the administrative law judge and shall be due within the time prescribed by the administrative law judge.

(4) *Dismissal for Cause.* (i) The administrative law judge may, at the request of any party, or on his or her own motion, dismiss a claim.

(A) Upon the failure of the complainant or his or her representative to attend a hearing without good cause.

(B) Upon the failure of the complainant to comply with a lawful order of the administrative law judge.

(ii) In any case where a dismissal of a claim, defense, or party is sought, the administrative law judge shall issue an order to show cause why the dismissal should not be granted and afford all parties a reasonable time to respond to such order. After the time for response has expired, the administrative law judge shall take such action as is appropriate to rule on the dismissal, which may include an order dismissing the claim, defense or party.

§ 24.6 Decisions and orders.

(a) *Recommended Decision.* The administrative law judge shall issue a recommended decision within 20 days after the termination of the proceeding at which evidence was submitted. The recommended decision shall contain appropriate findings, conclusions and a recommended order and be forwarded, together with the record, to the Secretary of Labor for a final order. The recommended decision shall be served upon all parties to the proceeding.

(b) *Final Order.* (1) Within 90 days after receipt of a complaint, the Secretary of Labor shall issue a final order, based on the record and the recommended decision of the administrative law judge, which shall be served upon all of the parties.

(2) If the Secretary concludes that the party charged has violated the law, the final order shall order the party charged to take appropriate affirmative action to abate the violation, including reinstatement of the complainant to that person's former or substantially equivalent position, if desired, together with the compensation (including back pay), terms, conditions, and privileges of that employment. The Secretary may, where deemed appropriate, order the party charged to provide compensatory damages to the complainant.

(3) *Costs.* If such a final order is issued, the Secretary, at the request of the complainant, shall assess against the respondent a sum equal to the aggregate amount of all costs and expenses (including attorney and expert witness fees) reasonably incurred by the complainant, as determined by the Secretary, for, or in connection with, the

bringing of the complaint upon which the final order was issued.

(4) *Dismissals.* If the Secretary determines that the party charged has not violated the law, an order shall be issued denying the complaint.

§ 24.7 Judicial review.

(a) Within 60 days after the issuance of a final order under § 24.6, above, any person adversely affected or aggrieved by such order may file a petition for review of the order in the United States court of appeals for the circuit in which the violation with respect to which the order was issued allegedly occurred.

The commencement of proceedings under this subsection shall not, unless ordered by the court, operate as a stay of the Secretary's order.

(b) An order of the Secretary with respect to which review could have been obtained under subsection (a) shall not be subject to judicial review in any criminal or other civil proceeding.

(c) *Certification of Record for Judicial Review.* The record of a case, including the record of proceedings before the administrative law judge, shall be transmitted by the Secretary to the appropriate court pursuant to the rules of such court.

§ 24.8 Enforcement proceedings.

(a) Whenever a person has failed to comply with a final order issued by the Secretary of Labor under § 24.6, above, the Secretary may file a civil action in the United States district court for the district in which the violation was found to occur to enforce such order. In actions brought under this section, the district courts shall have jurisdiction to grant to all appropriate relief including, but not limited to, injunctive relief, compensatory and exemplary damages.

(b)(1) Any person on whose behalf a final order was issued by the Secretary of Labor under § 24.6, above, may commence a civil action against the person to whom such order was issued to require compliance with such order. The appropriate United States district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce such order.

(2) The court, in issuing any final order under this section may award costs of litigation (including reasonable attorney and expert witness fees) to any party whenever the court determines such award is appropriate.

(c) Any nondiscretionary duty imposed by this section shall be enforceable in a mandamus proceeding brought under section 1361 of Title 28 of the United States Code.

§ 24.9 Exception.

This part shall have no application to any employee alleging activity prohibited by this part who, acting without direction from his or her employer (or the employer's agent), deliberately causes a violation of any requirement of a Federal statute listed in § 24.1, above.

Signed this 2nd day of January, 1980, at Washington, D.C.

Ray Marshall,

Secretary of Labor.

(FR Doc. 80-367 Filed 1-7-80; 8:45 am)

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My name is Chan Van Vo. I am also known as Van Vo Davis. I am giving this statement to Robert Guild, Attorney-at-Law, of Charleston, South Carolina, who has identified himself to me as a representative of the Government Accountability Project. I was employed for almost five years by Carolina Power & Light Company in the construction of the Shearon Harris Nuclear Power Plant near Raleigh, North Carolina, most recently in the position of Engineer where I was responsible for ensuring that the installation of pipe and pipe-hangers was in accordance with approved plans, specifications, codes, procedures and schedules. Although I am not opposed to nuclear power, my experience with CP&L causes me to have serious doubts about CP&L's commitment to nuclear safety and about the as-built quality of construction at the Shearon Harris Nuclear Power Plant. On many occasions I have brought safety concerns and construction deficiencies to the attention of my supervisors only to face lack of interest and hostility; and in one case only to find my documentation of a serious safety concern discarded in my supervisor's trash can the next day. I have taken these concerns up my chain of command to senior management at CP&L on several occasions only to be told that 'this is not Vietnam, here at CP&L you are only a soldier who must follow orders.' This lack of interest in my safety concerns was followed by a pattern of harassment, intimidation, pressure to resign, and ultimately my termination. I have filed a

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complaint against CP&L with the U.S. Department of Labor for violation of the Employee Protection Provisions of The Energy Reorganization Act because of the Company's discrimination against me for raising safety concerns. I was only trying to do my job to the best of my ability according to my professional engineering training. I believed that the Quality Assurance regulations of the Nuclear Regulatory Commission, 10 CFR Part 50, Appendix B, and the Company's written policies and procedures meant what they said. However, I have learned that CP&L has very little interest in seeing that the Shearon Harris Nuclear Power Plant is built "by the book." Workers at the site are expected to "look the other way" when they see safety violations or risk losing their jobs. I hope that my concerns will be fully investigated and that effective action will be taken to ensure that the public health and safety is protected before the Harris plant is allowed to operate.

2. I was born in South Vietnam and became a U.S. citizen after I came to this country in 1975. I hold a degree in Math, Science and Physics from the French College and a Bachelor of Science degree in Mechanical Engineering with a specialty in Fluid Mechanics from Phutho Higher Technical University, Saigon, South Vietnam. In order to supplement my education for engineering certification in this country, I have taken courses in civil and mechanical engineering from Fayetteville Technical Institute and International Correspondence Schools. I am currently an MBA candidate at Campbell University, Buies Creek, North

Carolina, where I am concentrating in Production Management. I expect to receive my degree in May 1985. I am an Associate member of the American Society of Mechanical Engineers.

3. I was first employed by CP&L at the Harris site on April 10, 1979, as an Engineering Aide I, in the Mechanical Department under E.M. "Ed" McLean, where I was responsible for preparing requisitions for site material procurement and for performing inspections of mechanical installations in all parts of the plant. On October 10, 1979, I was promoted to Engineering Technician II where I was assigned responsibilities for piping and pipe-hangers. After I finished the ICS program for equivalence with a 4 year degree in mechanical engineering and based on my "outstanding" performance, I was promoted to Associate Engineer, effective October 4, 1980. In this position I performed material take-offs, prepared purchase specifications and material purchase orders for piping; and was in charge of field support for radwaste piping in the Waste Processing Building. In April, 1982, I was transferred to work for the Lead Hanger Engineer, A.G. "Alex" Fuller, where I was responsible for providing technical support to the hanger crafts including the preparation and interpretation of design documents and work procedures, investigation of field problems, preparation of field changes such as Field Change Requests/Permanent Waivers (FCR/PW), and the resolution of nonconformances.

4. Alex Fuller and his immediate superior, Resident Mechanical Engineer E.E. "Ed" Willett, particularly demonstrated a lack of commitment to nuclear safety and a general lack of knowledge and competence to perform their important engineering and management responsibilities. The Resident Engineering Unit carries responsibility for all site engineering functions at the Harris Plant, under the direction of a CP&L employee, the Senior Resident Engineer, a position held by A. Lucas until his removal for poor performance in early 1983. Under Lucas were the various engineering disciplines and the Construction Inspection (CI) organizations. Ed Willett took over the Mechanical Engineering group in 1980. He originally supervised activities in the piping, hangers, equipment and heating-ventilation-air conditioning (HVAC) areas; until equipment installation and HVAC were taken away from him in early 1983, and hanger work was taken away in October, 1983, because of mounting problems and growing recognition of Willett's lack of ability to effectively manage his work. Willett brought in his friend, Alex Fuller, to supervise the hanger program in late 1981, despite Fuller's lack of qualifications for this work. Fuller's training was in civil engineering and his only previous work experience was in dam construction with CP&L. As problems mounted in the hanger area, Al Rager was brought in over Alex Fuller. This did not help at all since Rager lacked any engineering experience. Rager has

since been placed in charge of the Construction Inspection program. This recent move will do nothing to improve the Quality Assurance program at the Harris Plant.

5. In mid-August 1982 I was performing my normal duties checking the installation of pipe-hangers in the Turbine Building. While doing so I observed several pipefitters attempting to fit a 24" carbon steel piping line to the discharge nozzle of Steam Generator Feed Water Pump 1A-NNS. This piping system is of large diameter pipe through which feedwater is pumped back from the turbine condensor to the steam generator which is located inside the Reactor Building containment. The system, including the piping and associated valves and pumps, is classified as Secondary System, Safety Category 4, Seismic Category 1. The integrity of reactor temperature and pressure control is dependent upon the effective function of these pumps, valves and piping, which are, therefore, nuclear safety significant. The 24" carbon steel pipe in question extended on a horizontal run in the direction of the length of the Turbine Building until it reached a position above the discharge nozzle of the pump in question where it dropped vertically toward the pump. Since the pipe-to-pump flange connection was the last remaining fit-up to be made in the pipe run, I was particularly concerned that proper alignment of the pipe to the flange was maintained in order to assure that no improper stresses were imparted to the pump.

6. To assure proper fit-up, I identified the fitters' Foreman and requested that he ask his General Foreman, Danny McGhee, to request Millwright assistance in fitting this connection. Millwrights are responsible for the installation of mechanical equipment such as this SGFW pump. The Foreman did as I requested, but reported back that McGhee had said go ahead without the Millwrights. I returned to my office where I called Piping Engineer D.M. Dasburg to whom I related the problem.

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me the results of alignment measurements over a three-day period under hot and cold temperature conditions. Their notes reflected a severe misalignment measurement of as much as + .108", - .078" under hot conditions; and + .108", - .075" under cold conditions!

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21. In response to my report to Fuller and Willett of QA failures, Willett issued a Memo July 29, 1983, "Subject: Shearon Harris Nuclear Power Plant - Compliance with Project QA Programs and Procedures", which emphasized that compliance with QA procedures is "mandatory" and provided examples of "DO's and Don't's".

22. On August 1, 1983, Assistant Project General Manager P.F. Foscolo responded to our Phase II hanger surveillance and the NRC concerns by providing for significant changes in the hanger program. A stop work order had been issued on July 29, 1983, halting all work and inspection on seismic hangers. Phases I and II were eliminated; work and QA procedures were substantially changed, including particularly WP-110, and TP-34, which provided for hanger installation and inspection. In particular, CP&L noted that hanger documentation should be checked to insure "that the surplus hangers number/purchase order number is legitimate". At that time only about 300 of the 18,000 seismic pipe hangers had successfully passed inspection. I remain concerned about the use of false documentation on such safety grade materials. Has any effort been made to investigate the cause or extent of this problem at the Harris Plant?

23. On August 22, 1983, Alex Fuller presented me with a Memo signed by himself and Ed Willett reflecting their decision to place me on probation due to what was described as a decline in my performance "over the past year and one half". Of course, Fuller himself had promoted me to Engineer less than a year earlier! I believe that this action was in retaliation for my expression of safety concerns. I refused to acknowledge Fuller's false charges, and, instead I wrote: "I do not agree with this statement", on the memo. Ironically one of the actions required of me over the next 6 months was: ". . . problems that are detected must be reported accurately and timely.". CP&L management

demonstrated time and time again that they wanted us to look the other way when we encountered deficiencies. "Problems" were the last thing they wanted reported.

24. In the Fall of 1983 I met with CP&L Executive Vice President E.E. Utley in Raleigh. I carried with me all my documentation of safety concerns and deficiencies, including those described here. I explained these concerns to Mr. Utley and the responses to them by my supervision. He showed little interest in anything I said or any document I showed him. He did not ask questions regarding my concerns or my treatment. He said I was a "good man" and that I should go back to work. He promised to help. He did not. I performed all work assigned to me over the next 6 months, and have retained documentation of my satisfactory performance under increasing pressure and intimidation by my supervisor, Alex Fuller. All my requests for transfer were refused. At the end of 6 months, I was called before Messers Foscolo, Rager, Ferguson and Fuller who told me that if I did not resign I would be terminated. They urged me to make it easier on myself by resigning; and said I would have a hard time getting another nuclear industry job if I did not resign. I told them I had done nothing wrong and would not resign. That afternoon, February 29, 1984, Fuller escorted me like a prisoner out the gate without even a chance to exchange farewells with my colleagues and friends.

25. I have very serious concerns regarding the breakdown of Quality Assurance at the Shearon Harris Nuclear Power Plant. There is a great deal of pressure on the Construction Inspection (CI) organization which lacks the freedom and independence from cost and scheduling considerations to effectively perform their QA duties of identifying and documenting deficiencies. As an Engineer I was always aware of the conflict between production and quality. Both CI and Construction Engineering reported to the Senior Resident Engineer.

26. CP&L and its prime contractor Daniel employ a confusing and ineffective array of different documenting systems for controlling nonconformances such as DR's, DDR's, NCR's FCR/PW's and such commonly used uncontrolled paperwork as Memos and "Speed Letters". Few of us were trained in which procedures were to be used when. Mostly we wrote things down informally. I doubt that the QA vault contains even a fraction of the deficiencies in safety systems which have been identified. In order to ensure that I communicated effectively in my work - particularly since English is my second language - I made it a practice to retain full documentation of work in my areas. I have "Speed Letters" reflecting numerous deficiencies which I am sure have been discarded by CP&L. I also have retained copies of many quality documents which I believe have not been properly controlled by CP&L.

I hope that someone will seriously investigate my safety concerns. I know that many other present and former Harris employees, including craft and other engineers, share my concerns. However, they are not eager to share my experience in order to voice those concerns, since they have every reason to fear the same kind of retaliation that I have experienced. I hope that this statement of mine will make it easier for the others to speak more freely.

I am willing to assist in identifying and correcting quality assurance and workmanship problems in any manner necessary to ensure that the Shearon Harris Nuclear Power Plant does not harm the public.

Chan Van Vo

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Sworn to and subscribed before me
this the 6 day of Oct, 1984.

John Lee
NOTARY PUBLIC

My Commission expires: 8/12/86

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21. In response to my report to Fuller and Willett of QA failures, Willett issued a Memo July 29, 1983, "Subject: Shearon Harris Nuclear Power Plant - Compliance with Project QA Programs and Procedures", which emphasized that compliance with QA procedures is "mandatory" and provided examples of "DO's and Don't's".

22. On August 1, 1983, Assistant Project General Manager P.F. Foscolo responded to our Phase II hanger surveillance and the NRC concerns by providing for significant changes in the hanger program. A stop work order had been issued on July 29, 1983, halting all work and inspection on seismic hangers. Phases I and II were eliminated; work and QA procedures were substantially changed, including particularly WP-110, and TP-34, which provided for hanger installation and inspection. In particular, CP&L noted that hanger documentation should be checked to insure "that the surplus hangers number/purchase order number is legitimate". At that time only about 300 of the 18,000 seismic pipe hangers had successfully passed inspection. I remain concerned about the use of false documentation on such safety grade materials. Has any effort been made to investigate the cause or extent of this problem at the Harris Plant?

23. On August 22, 1983, Alex Fuller presented me with a Memo signed by himself and Ed Willett reflecting their decision to place me on probation due to what was described as a decline in my performance "over the past year and one half". Of course, Fuller himself had promoted me to Engineer less than a year earlier! I believe that this action was in retaliation for my expression of safety concerns. I refused to acknowledge Fuller's false charges, and, instead I wrote: "I do not agree with this statement", on the memo. Ironically one of the actions required of me over the next 6 months was: "... problems that are detected must be reported accurately and timely.". CP&L management

demonstrated time and time again that they wanted us to look the other way when we encountered deficiencies. "Problems" were the last thing they wanted reported.

24. In the Fall of 1983 I met with CP&L Executive Vice President E.E. Utley in Raleigh. I carried with me all my documentation of safety concerns and deficiencies, including those described here. I explained these concerns to Mr. Utley and the responses to them by my supervision. He showed little interest in anything I said or any document I showed him. He did not ask questions regarding my concerns or my treatment. He said I was a "good man" and that I should go back to work. He promised to help. He did not. I performed all work assigned to me over the next 6 months, and have retained documentation of my satisfactory performance under increasing pressure and intimidation by my supervisor, Alex Fuller. All my requests for transfer were refused. At the end of 6 months, I was called before Messers Foscolo, Rager, Ferguson and Fuller who told me that if I did not resign I would be terminated. They urged me to make it easier on myself by resigning; and said I would have a hard time getting another nuclear industry job if I did not resign. I told them I had done nothing wrong and would not resign. That afternoon, February 29, 1984, Fuller escorted me like a prisoner out the gate without even a chance to exchange farewells with my colleagues and friends.

25. I have very serious concerns regarding the breakdown of Quality Assurance at the Shearon Harris Nuclear Power Plant. There is a great deal of pressure on the Construction Inspection (CI) organization which lacks the freedom and independence from cost and scheduling considerations to effectively perform their OA duties of identifying and documenting deficiencies. As an Engineer I was always aware of the conflict between production and quality. Both CI and Construction Engineering reported to the Senior Resident Engineer.

26. CP&L and its prime contractor Daniel employ a confusing and ineffective array of different documenting systems for controlling nonconformances such as DR's, DDR's, NCR's FCR/PW's and such commonly used uncontrolled paperwork as Memos and "Speed Letters". Few of us were trained in which procedures were to be used when. Mostly we wrote things down informally. I doubt that the OA vault contains even a fraction of the deficiencies in safety systems which have been identified. In order to ensure that I communicated effectively in my work - particularly since English is my second language - I made it a practice to retain full documentation of work in my areas. I have "Speed Letters" reflecting numerous deficiencies which I am sure have been discarded by CP&L. I also have retained copies of many quality documents which I believe have not been properly controlled by CP&L.

I hope that someone will seriously investigate my safety concerns. I know that many other present and former Harris employees, including craft and other engineers, share my concerns. However, they are not eager to share my experience in order to voice those concerns, since they have every reason to fear the same kind of retaliation that I have experienced. I hope that this statement of mine will make it easier for the others to speak more freely.

I am willing to assist in identifying and correcting quality assurance and workmanship problems in any manner necessary to ensure that the Shearon Harris Nuclear Power Plant does not harm the public.

Chan Van Vo
CHAN VAN VO

Sworn to and subscribed before me
this the 6 day of Oct, 1984.

J. H. Lee
NOTARY PUBLIC

My Commission expires: 8/12/86