

2-Way Memo

Subject: RI-84-A-0143

From: A. R. HERDT

INSTRUCTIONS

Use routing symbols whenever possible.

SENDER (Originator of message):

Use brief, informal language.

Conserve space.

Forward original and one copy.

RECEIVER (Replier to message):

Reply below the message, keep one copy, return one copy.

DATE OF MESSAGE

ROUTING SYMBOL

11/08/84

SIGNATURE OF ORIGINATOR

TITLE OF ORIGINATOR

INITIAL MESSAGE

Attached is a copy of a newspaper article discussing Mr Van Vo's concerns at Shearon Harris. The article indicates that some of the issues had been looked into and resolved by EPIC

REPLY MESSAGE

To:



JEFF LANKFORD

8508230142 850814
PDR FOIA
GUILD85-173 PDR

DATE OF REPLY

ROUTING SYMBOL

SIGNATURE OF REPLIER

TITLE OF REPLIER

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RII-84-A-0143

DOCKET: 50-400

FACILITY: HARRIS

SUBJECT: ALLEGED DISCRIMINATION AND

A60

A60

TO: JOE GILLILAND

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RALEIGH (NC) NEWS & OBSERVER 10-23-84 Section C, Page 1

Ex-worker says CP&L fired, blacklisted him

By TODD COHEN

Staff Writer

An engineer who worked at Carolina Power & Light Co.'s Shearon Harris Nuclear Plant has charged that he was fired and blacklisted from jobs in the nuclear industry after voicing concerns with company officials about safety violations at the plant.

"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," Chan Van Vo said in an affidavit released at a news conference Monday in Raleigh.

Van Vo, who had worked for CP&L for five years until he left in February, said in a telephone interview Monday from his home in Fayetteville, "I did not resign. They terminated my job."

The 18-page affidavit was released by Robert Guild, a Charleston, S.C., lawyer who represents Van Vo. Guild told reporters that he had asked the U.S. Nuclear Regulatory Commission to investigate Van Vo's charges. Guild said he also had asked the U.S. Department of Labor to order that Van Vo be reinstated in his job.

Thomas S. Ellerman, CP&L's vice president for corporate nuclear safety and research, said in an interview that the company was investigating Van Vo's charges. Ellerman, who attended the news conference, declined to comment on the investigation except to say the company was "interviewing the people that are involved. We're looking into the technical issues."

But a company official who asked not to be identified said, "Some of the issues (raised by Van Vo) had been earlier looked into and resolved."

Charles A. Barth, an attorney for the NRC staff, said in a telephone interview that the staff had been investigating Van Vo's charges for more than a month.

"We will say nothing until our investigation is completed," Barth said. "We are presently checking out Van Vo very carefully."

He added, "We know of nothing that would lead us to conclude that they (CP&L) cannot operate it safely."

Barth was in Raleigh for hearings by the federal Atomic Safety and Licensing Board into the safety of the Wake County plant, which is scheduled to begin commercial operation in 1988. The licensing board, an agency of the NRC, is charged with resolving questions raised by opponents of nuclear power who have intervened in the case. The board will recommend to the commission whether to issue the license.

CP&L has obtained a permit from the NRC to build the Harris plant. Under federal law, the company must be licensed by the NRC to operate it.

Van Vo, 46, said in the affidavit that he had resigned after being urged to do so by supervisors. He said he had complained to his supervisors and other company officials about safety problems, including the improper fitting of a pipe to a nozzle on a pump that feeds water to the plant's steam generator. That water is turned into steam in the generator and then pumped to a turbine. The steam runs the turbine, which in turn generates electricity.

Guild said Van Vo's affidavit also provided details on the falsification of documentation on safety material at the plant; a breakdown in programs to assure the quality of safety-related pipe-hanger installations and inspections; violation of NRC requirements to maintain the independence of inspections from cost and scheduling pressures; and destruction of documents to assure quality.

"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," Van Vo said in the affidavit.

"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," he said.

Van Vo said he had pursued his complaints up CP&L's chain of command, including visits to E.E. Utley, executive vice president, and to M.A. McDuffie, senior vice president.

Van Vo, a native of South Vietnam who became a United States citizen after emigrating to the United States in 1976, said McDuffie had told him, "This is the U.S. This is CP&L, not Vietnam. Here (your supervisor) is your lieutenant, and you are only a soldier. You must obey orders."

Van Vo said in the interview that he had applied — unsuccessfully — for about 30 jobs in the nuclear industry since being fired and was working as a manual laborer at a plastics company in Seagrove, near Asheboro. His salary at CP&L was about \$31,000 a year and now is about \$17,000, Van Vo said.

"I'm positive my name is blacklisted," he said.

Barth said the Labor Department concluded 1½ weeks ago that Van Vo had been fired "for cause." Labor Department officials could not be reached for comment late Monday. But Guild said the department's field staff in Raleigh had concluded it was "unable to substantiate (Van Vo's) claim."

"That's sort of expected at this stage," Guild said. "They don't have any other evidence."

Guild represents the Government Accountability Project, a public interest group based in Washington, that represents "whistleblowers" who work in government agencies and in the nuclear industry. He said the group had been asked to assist in the Shearon Harris case by opponents of the plant, including the Conservation Council of North Carolina and the Nuclear Alliance.

John Ramble, attorney for the Conservation Council, said he hoped to introduce Van Vo's affidavit at the hearings before the Atomic Safety and Licensing Board.

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File / CP&L, Shearon Harris

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