

Dr. Walter L Tamosaitis, P.E.  
1622 Meadow Hills Drive  
Richland, WA 99352  
July 16, 2010

Dr. Peter S. Winokur  
Chairman  
Defense Nuclear Facilities Safety Board  
625 Indian Avenue NW, Suite 700  
Washington, DC 20004

Dear Dr. Winokur:

Since the Defense Nuclear Facility Safety Board (Board) provides oversight for the Waste Treatment Plant (WTP) at the Hanford Site, I am writing to you to inform that I believe I have been subjected to work place retaliation because of my efforts to ensure that issues potentially affecting public and worker safety are properly addressed. I am formally requesting that you investigate this situation. This retaliation appears to be due to my efforts to ensure that the WTP operates safely, efficiently, and effectively as well as a result of my past efforts to ensure that the information requests from the Board staff and Department of Energy (DOE) Headquarters were promptly and accurately addressed.

With over 40 years of company service and more than 10 years of support and service to the WTP Project (Project), and the receipt of multiple commendations and bonuses, I was constructively fired on July 2, 2010. Up to the time of this arbitrary and capricious dismissal from the Project, I was a Deputy Chief Process Engineer and the Research and Technology Manager. In this capacity, my budget was about \$500M over a 7 year period. During this period I also was trusted to represent the Project before many groups including the Board and Board staff, Ecology, DOE at many levels, the press, consultants, and many review groups. An abbreviated resume is attached. Despite my many years of recognized performance, my badges and phone were immediately taken, I was given no information or explanation, I was not asked any questions, I was not allowed to talk to anyone, and I was escorted to the door without even an opportunity to recover my personal effects.

I was informed that the action to remove me from the Project was personally directed by the WTP Bechtel National, Inc. (BNI) Project Director. This dismissal from the project was executed by a URS manager. As stated on July 12<sup>th</sup> by the URS Project manager (in the presence of others), the DOE Federal Project Director was also reportedly directly involved in this punitive and retaliatory action.

I view this action to be a punitive and retaliatory action based on documented statements made to me by URS corporate management and WTP Project management. The confluence of events surrounding my dismissal from the Project also supports my belief that this action was a punitive and retaliatory action directed by Bechtel management. I was told by URS management to travel to Aiken, SC, for discussions on July 7<sup>th</sup> on alternate assignments. In that meeting, URS management stated that they saw no cause (for the termination) but "they do as Bechtel directs".

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Due to URS corporate management's support I have been placed in another assignment, but now, instead of continuing to seek to advance the WTP Project in a safe and technically sound manner as had been my hope, I have now been moved to a non-supervisory position outside the Project and also offered an unwelcome position overseas separated from my family.

Despite URS corporate management's recommendation to me that I "forget the issues," I believe that it is important that WTP safety and technical issues be addressed in an open and forthright manner. The 50 additional issues that my team most recently raised were developed at the explicit request of WTP Bechtel Project management. In virtually every case, the issues raised by my team were also paired with a suggested path to resolution. These issues were within my funded job scope and the responsibility and capability of my team to identify. Instead of expressing a willingness to thoroughly review the results, the issues were received in the meeting with a comment to the effect that the "maybe Walt will choke on the cherries" that were brought to the meeting. While clearly intended as a joke, this inappropriate comment from a WTP senior Bechtel Project manager does, in my opinion, reflect the Bechtel management attitude and is consistent with the adverse safety and performance culture present by Bechtel on the WTP Project. Personnel that have raised safety, quality, and/or technical concerns in the past are subject to derision by Bechtel in the WTP project.

This culture of seeking to suppress safety and technical concerns within the Project is not new. For example, it is known that the Bechtel and URS WTP Project managers have both made statements that "they will kill the career of Dr. XXX (a consultant)" for indicating that additional vessel testing may be needed. At the appropriate time I can provide a chronology of the events has been prepared based on my personal experiences. It starts in 2003 with the first efforts to systematically identify technical issues that required resolution. Although routinely downplayed by senior Bechtel Project management during reviews, these issues have not been trivial, and included prevention of an uncontrolled nuclear reaction (criticality) in the mixer tanks as well as ensuring process throughput capability so that the cleanup mission is completed within the design life of the plant (40 years).

In addition to the safety concerns, failure to resolve technical issues as early in the design as possible also represents a significant potential waste of public resources as has been highlighted in multiple previous reports prepared by the General Accounting Office. For example, Bechtel management has proposed providing access to the blackcells and resolving issues at startup. Considering the design of the Plant, resolving any issue during startup will be extremely costly and schedule impacting. Also, as a result of the concerns for the mission length, in part due to WTP processing concerns, DOE has now reportedly chartered studies that include not using or minimizing the use of the low level waste vitrification facility, a decision that could cost tax payers over a billion dollars.

I am providing you this information on retaliatory practices within a Department of Energy defense nuclear facility and the alleged participation of DOE management so you may evaluate its impact on the future safety of this facility. I am investigating seeking redress of my personal circumstance through the measures offered by other sources. I can provide names, dates, places and documentation to support my beliefs that this action was punitive and retaliatory and directed at issue suppression. I am hopeful an adequate resolution will occur since my sincere

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belief is that these type of management actions cannot be allowed to continue especially in facilities that require so much of our tax dollars and resources.

Even if my personal case is resolved, the adverse effect on the safety culture in the overall Project will not likely be easily repaired. There has been an immediate chilling effect on the Project safety culture that has already caused Project team members to question me whether they should raise safety and Project design concerns in the future.

Most WTP Project personnel will not bring forth such issues. They are not willing to risk the damage to their professional reputations and family in the workplace and community nor are they willing to risk the loss of future employment opportunities resulting from a constructive termination. As a result, other Project individuals may now remain silent to the obvious detriment of safety and the performance of the WTP facility as evidenced by a wife of one employee reporting that her husband was now being directed to provide his signature to a document that he did not support.

I believe that the practices I have observed and experienced in the WTP of seeking to suppress safety and other design concerns may adversely affect future public health and safety, result in a less than adequate design, and waste tax payer money. More importantly, inappropriate arbitrary and capricious actions such as I have experienced by Bechtel management should not be endorsed by the principles of any company or allowed in any work environment, but especially one involving one of such importance to our Country. I believe the Board should consider undertaking a further investigation of this matter.

Sincerely,

Dr. Walter L. Tamosaitis, P.E.

Attachment: Resume

cc:

John Boulden III, DOE, Office of Enforcement

Steve Simonson, DOE, Office of Enforcement

Gregory H. Friedman, DOE, Inspector General

Timothy J. Dwyer, DNFSB, Technical Director

Leo Sain, URS

Frank Russo, BNI

**A Few Key Leadership Accomplishments by WLT 2003-2010–**

- Development of the resorcinol formaldehyde ion exchange resin. This is first-of-a-kind resin developed for Hanford and has applications throughout the nuclear industry.
- \$300M life time savings due to the use of the RF resin to replace the Superlig resin.
- Singlely obtained the Washington State technology tax credit for the Project (~\$5M).
- Orchestrated the thin walled canister drop test which showed the successful design of the thin walled canister which provided a significant cost savings for canisters.
- Provided the non-Newtonian slurry pulse jet mixer design.
- Lead the Pretreatment Engineering Platform (PEP) test facility to an on target completion of March 31, 2009. This demonstration underpinned the scaling of the pretreatment facility and addressed a key EFRT issue.
- Lead the EFRT study and completed it on schedule issuing the report February 28<sup>th</sup>, 2006. This was a first-of-a-kind study and set the standard for B&B (best and brightest) studies within DOE. Received a special corporate bonus for this. Steve Hanks, then the CEO of Washington International, stated that I was “the man who saved Bechtel (via the EFRT review).
- Resolved vitrification sampler issues and demonstrated successful sampler and tank performance.
- Participated in many reviews with the DNFSB , National Academy of Science, Department of Ecology, and many other external groups.
- Lead the resolution and closure of several EFRT issues.
- Many time discouraged the use of testing in many applications including the melter vapor line cleaner, additional scale testing in M3 (conveyed to Mr. Sain), and further testing in the PEP.
- Community efforts like the food drive, Duck race and others. R&T won Project contests based on per capita giving.
- Jim Henschel, WTP Bechtel Project Director 2003-06, stated to WLT that if there was one person to be credited with having done the most for WTP, he would recommend WLT.

**Potential Waste, Fraud, and Abuse –**

- There are several factors directly related to the vessel mixing program that have not been resolved despite the apparent closure of the M3 program. These include, but are not limited to, tank sampling, vessel level control, PJM operational control, pump out, heel removal, and pipeline transfer. In my first discussion with Leo Sain on July 2, he asked if I had stated that a larger scale demonstration test was needed. I told him that it was not needed for scaling but could be used to demonstrate other systems as well as mixing.
- In order to follow their procedures, Bechtel Engineering must confirm the vessel designs. Their plan is to do this via the use of computational fluid dynamic modeling. This requires the validation and verification (V&V) of the model's use in fluid systems containing both liquids and solids over a broad range of parameters. This V&V will not be completed for at least a year. If, at that time, the vessels do not meet the design criteria, much rework may be needed.
- The current Bechtel Project Manager and the URS Deputy Project Manager are both touting that vessel operational (mixing, etc) issues will be solved during startup. Many of these vessels are in blackcells. The Bechtel Project Manager states he will ensure an access door is provided which can be sealed later. It is ludicrous to think that an effective method to solve issues is during startup since seeing the vessels through any access, let alone reaching it, will be near impossible. The rework cost and delay would be monumental. The WTP Deputy Project Manager (URS) touts putting in an access port for a boroscope to inspect what may be on the bottom of the tanks. Note that several of these tanks are over 20 ft. in diameter and will have a liquid heel in them. Adequate visual analysis and capabilities will be very difficult.
- The pipeline plugging issue (M1) should be thoroughly examined to ensure all pipelines will operate satisfactorily. The Bechtel approach is to flush every line after a transfer. Tank volumes and processing rates must be carefully reviewed along with the disposition of the flush fluid and flushed materials.

### **Personal Damage –**

- At this time the URS Company has not impacted my base pay. Whether my bonus is impacted (April, 2011) is yet to be seen.
- I have put my the last 10 years of my life into the WTP. Based on Bechtel's arbitrary and capricious action to terminate me from the Project, and based on their involvement, until through startup, I have no chance of returning.
- No URS-Bechtel team will want me on it.
- No URS LLC will want me on it as the other companies will question if I will do the same thing to them.
- No other company will hire a known whistleblower.
- I had planned to work until I was 70 so that I could reach the 50 year milestone with one company. Similar to Gus Benz, Bechtel. This hope is now out of site.
- My industrial reputation as well as my reputation in the community is damaged. Note: the R&T group was a leader in WTP community fund drives, e.g., the annual food drive. Community groups will not want my participation.
- Local colleges and universities may not want me even as a Adjunct Professor due to the stigma I now carry.
- During the period of July 12-14, two people asked me: "I heard you got kicked off the WTP Project --- what the hell did you do?"
- July 14- My wife is contacted by another employees wife who tells her that WTP management attempted to get her husband to issue something that he did not agree with.

### **My belief-**

This type of continued management action and attitude cannot be allowed to continue especially in a project with the hazards ours faces and the amount of taxpayer funding supporting it. It is events like these that led to only putting in 2 shots of concrete (versus 3) so that an oil well in the Gulf can be brought back on line quicker and that methane monitors are covered or disabled in mines. Without a severe penalty to Bechtel no corrective action will be taken and it will be business as usual.

### **3 Things I want out of this**

- 1- For young people to know that doing the right thing is right. ID the right thing and if you are not doing it, ask why. They need to know that firing somebody is not the right answer. Use of any and all routes to resolve issues is to be used.
- 2- The culture at WTP to change. The do you have your bus ticket question needs to end.
- 3- Bechtel and Gay need to pay. If there is no payment, there will be no memory.

