

Peter S. Winokur, Chairman
Jessie H. Roberson, Vice Chairman
John E. Mansfield
Joseph F. Bader
Larry W. Brown

**DEFENSE NUCLEAR FACILITIES
SAFETY BOARD**

Washington, DC 20004-2901



July 27, 2010

The Honorable Steven Chu
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585-1000

Dear Secretary Chu:

The Defense Nuclear Facilities Safety Board is conducting an investigation, pursuant to the authority of 42 U.S.C. § 2286a(2), of health and safety concerns described in a letter to the Board dated July 16, 2010, from Dr. Walter Tamosaitis, who also provided a copy of the letter to John Boulden III, DOE, Office of Enforcement and Steve Simonson, DOE, Office of Enforcement. The Board requires ready access to information. You should take all necessary steps to ensure that material information is preserved from alteration or destruction so that the Board has the opportunity to exercise its statutory investigative authority. The Board expects preservation of all records and files bearing upon the matters alleged by Dr. Tamosaitis, in any format, including but not limited to official records and documents, informal transmittals, emails, presentations, personal notes, audio and video recordings, and telephone records. You are specifically requested to preserve all working papers and other documents saved by Dr. Tamosaitis to the M-drive to which Dr. Tamosaitis had access while assigned to the Waste Tank Project at the Hanford Site.

The designated Board contact for this investigation is Richard A. Azzaro, General Counsel, 202-694-7014, richa@dnfsb.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter S. Winokur".

Peter S. Winokur, Ph.D.
Chairman

Enclosure

c: Dr. Inés R. Triay- Assistant Secretary for Environmental Management
Scott Harris- DOE General Counsel

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 12th 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 7th 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

WALTER L. TAMOSAITIS

1622 Meadow Hills Drive
Richland, WA 99352
(509) 628-1964

URS (formerly WASHINGTON GROUP INTERNATIONAL) (2003 - 2010) --

- **RESEARCH & TECHNOLOGY MANAGER; ASSISTANT CHIEF PROCESS ENGINEER**– Waste Treatment (WTP) Project, Hanford, Washington.

WESTINGHOUSE SAVANNAH RIVER COMPANY (1989 – 2003) --

- **CHEMICAL PROCESS RESEARCH MANAGER** – Savannah River Technology Center (1/90 – 2/03)
- **OPERATIONS MANAGER** – TNX – Savannah River Technology Center (4/89 – 1/90)

DUPONT CHEMICAL COMPANY (1970 – 1989) ---

- **PLANT MANAGER** – Old Hickory, TN (5/85-4/89)
- **ORGANIZATIONAL EFFECTIVENESS CONSULTANT** – Wilmington, DE (4/84-5/85)
- **HUMAN RELATIONS CONSULTANT** – Wilmington, DE (4/83-4/84)
- **MECHANICAL PROCESS SUPERINTENDENT** – Old Hickory, TN (6/81-4/83)
- **CHEMICAL PROCESS SUPERINTENDENT** – Old Hickory, TN (6/79-6/81)
- **ENGINEERING SERVICES MANAGER** – Wilmington, DE (3/78-5/79)
- **DESIGN PROCESS GROUP MANAGER** – Deepwater, N.J (6/76-3/78)
- **COLLEGE RECRUITING SUPERVISOR** – Newark, DE (8/75-6/76)
- **MAINTENANCE SUPERVISOR** – Sabine, TX (1/74-8/75)
- **DESIGN PROCESS LIAISON** – Wilmington, NC (8/72-1/74)
- **PROCESS ENGINEER** – Parlin, NJ (5/70-8/72)

GENERAL ELECTRIC COMPANY (1969-1970)

- **DESIGN ENGINEER** – Evandale, Ohio (6/69-5/70)

EDUCATION

- Ph.D.** University of Alabama at Huntsville, 2005
Degree: Systems Engineering and Engineering Management
- Dissertation: "The Relationship between Performance Ratings and Organizational Commitment for Technical Personnel"
- M.S.** University of Alabama at Huntsville, 2001
Degree: Systems and Project Engineering
- CoA.** Harvard/Thermo-Electron, 1996 (Certificate of Accomplishment-Internal Program)
Degree: Entrepreneurial Venture Development Course
- B.S.** Widener University, 1969
Degree: Mechanical Engineering with Chemical Engineering minor

MEMBERSHIPS and HONORS-

- Registered Professional Engineer – Delaware (#5232)
- Board of Directors, Columbia River Exhibition of History Science and Technology, Richland, WA.
- Executive Director, National Management Association, Hanford WA Chapter.
- National Register of Who's Who in Executives and Professionals.
- Member of American Society of Engineering Management, National Management Association, American Society of Mechanical Engineers.
- Two published papers in the Engineering Management Journal.
- Member of Sigma Pi Sigma (Physics), Epsilon Mu Eta (Engineering Management), Alpha Pi Mu (Systems Engineering), and Tau Beta Pi (Engineering) Honor Societies.

Walter L. Tamosaitis

SAVANNAH RIVER SITE - OPERATIONS MANAGER - TNX PLANT (1989)

- Facility Manager responsible for chemical operations, maintenance, and project personnel and facilities in this \$150+ million chemical and mechanical pilot plant and semi-works area.
- Responsibilities include safety of operations, environmental security, budget, employee relations, business development, and contractor negotiations.

DUPONT CHEMICAL COMPANY – Wilmington, DE (1970-1989)

PLANT MANAGER – Petrochemicals Dept. Old Hickory, TN (1985-1989)

Responsible for the overall safety, operations, and project management of this 225+ person, 650 million pounds/yr., polyester intermediate producing chemical plant.

- Led several major process changes including significant flowsheet improvements.
- Led process improvement effort to set throughput records.
- Key strategy team member to gain DuPont's entry into the plastic bottle business.
- Extensive experience with union and non-union employees
- Responsible for relations with customers including General Electric, Amoco, Coca Cola.
- Plant rated #1 in Department by Kearney Associates benchmarking study in 1987 and 1988.

ORGANIZATIONAL EFFECTIVENESS CONSULTANT – Wilmington, DE (1984-1985)

- Developed Total Quality program for 3,000+ member Petrochemicals Department incorporating the concepts and involvement of IBM, Deming, Juran, Crosby, Miller, and other consultants.
- Developed marketing theme and logo
- Coordinated management development of the departmental vision, mission and principles.
- Orchestrated three meetings of over 600 people to establish core founders group.
- Received a Corporate award.

HUMAN RELATIONS CONSULTANT (Wilmington, DE (1983-1984)

- Provided consultation on exempt and nonexempt personnel issues including compensation.
- Provided consultation to ten plant organization on union and non-union issues involving NLRB and EEOC actions, corrective actions, contracts, arbitration, pay structure, and site policies.

MECHANICAL PROCESS SUPERINTENDENT – Old Hickory, TN (1981-1983)

- Responsible for all project management including flowsheet changes, maintenance, capital projects, with over a \$20 million dollar budget.
- Developed and instituted a planning and scheduling process which became the model for the Department.
- Key member of strategy team that defeated the United Steelworkers organizing vote.

TECHNICAL PROCESS SUPERINTENDENT – Old Hickory, TN (1979-1981)

- Responsible for 30 member technical organization which provided technical support to the 650 million pound/yr chemical plant
- Programs included catalytic, mixing, distillation, and esterification programs to increase capacity, reduce cost, and improve quality.
- Personnel responsibilities included salary and special compensation administration and personnel career planning.

TECHNICAL SERVICES MANAGER – Wilmington, DE (1978-1979)

- Responsible for coordinating the assignment and career development of 35 engineers placed on assignment throughout DuPont locations. Provided oversight, career, and budget coordination.

Walter L. Tamosaitis

DUPONT CHEMICAL COMPANY – Wilmington, DE (continued)

DESIGN PROCESS GROUP MANAGER – Deepwater, NJ (1976-1978)

- Managed design engineering technical services group that provided plant wide chemical and mechanical engineering support and flowsheet design to the Chambers Works chemical plant.
- Support included mechanical conveying systems, mixing, heating and air conditioning, pumping, and materials.

COLLEGE RECRUITING SUPERVISOR – Wilmington, DE (1975-1976)

- Planned and coordinated the recruiting year for the Engineering Services Division, Engineering Department, which hired about 40 engineers.
- Coordinated the interviewing, placement and first assignment process and follow up.

MAINTENANCE SUPERVISOR – Sabine, TX (1974-1975)

- Responsible for maintenance activities supporting the high density polyethylene plant (2,000 psi cyclohexane process).
- Included 30+ mechanics and nonexempt personnel.

CONSTRUCTION AND DESIGN LIAISON – Wilmington, NC (1972-1974)

- Responsible for providing on-site representation and assistance for the Design Division during the construction and startup of a Dacron polyester plant.

PROCESS ENGINEER – Parlin, NJ (1970-1972)

- Provided process engineering support to the photo products plant including assistance to the X-ray film process and the Dycril printing plant process.

GENERAL ELECTRIC – Evandale, OH

DESIGN ENGINEER – Evandale, Ohio (1969-1970)

- Provided design and developmental engineering support for the gas dynamics group responsible for TF-39 high bypass turbo fan engine.

PROFESSIONAL AFFILIATIONS and ACTIVITIES

- Registered Professional Engineer (#5232 - Delaware)
- Patent: Phenyl Borate Catalytic Decomposition (Co-author)
- American Society of Engineering Management (ASEM) – Charter member of CSRA chapter
- American Society of Mechanical Engineers (ASME)
- National Management Association (NMA)
 - Executive Director for Richland Chapter
- Board of Directors for Columbia River Environmental Science and Technology Foundation.
- Alpha Pi Mu (Industrial Engineering Honor Society)
- Sigma Pi Sigma (Physics Honor Society)
- Tau Beta Pi (Engineering Honor Society)
- Epsilon Mu Eta (Engineering Management Honor Society)
- Community Involvement and Fund Raising
 - Proactive in Red Cross Donor System
- Papers presented at ASEM conference 2001 and 2002
- Served as industrial manager on panel to discuss "Discovering the Challenges of the Practicing Engineering Manager" at the 2003 ASEM conference
- Have taken over 50 developmental courses (abbreviated list attached)

WALTER L. TAMOSAITIS
CONTINUING EDUCATION CURRICULUM
(Abbreviated List)

TRIZ Problem Solving	(WGI-Darrell Mann)
Economic Espionage and Technology Protection (CNA-152)	(Dept. of Energy)
Counterintelligence for Managers (CNA-110)	(Dept. of Energy)
Quality Function Deployment	(Technicomp)
Participative Management	(Westinghouse)
Environmental Compliance	(Government Inst.)
Total Quality Leadership	(Westinghouse)
Individual Development Planning	(Westinghouse)
Competitive Management	(Kaiser Associated)
Managing Mature Businesses	(Harbridge/DuPont)
Strategic Market Planning	(Wharton)
AMA Four Week Management Course	(AMA)
Financial Business Management	(DuPont)
Marketing Management	(DuPont)
Individual Career Management	(Wick Associates)
Managed Union Bargaining	(DuPont)
Financial Management for Non-Financial Managers	(AMA)
Financial Management	(Wharton)
Managing Change	(Wharton)
Maintaining Non-Union Representation	(DuPont)
Statistical Quality Control	(Zaloom)
Deming's Management Principles (Taught by Deming)	(Deming)
Understanding People	(Wilson Learning)
Improving Meeting Effectiveness	(Wilson Learning)
Local Pay Administration	(DuPont)
Maintenance Planning and Scheduling	(AMA)
Supervisory Skill Improvement	(Wharton)
Leadership Effectiveness Workshop	(Krone/DuPont)
Chemical Engineering For Non-Chemical Engineers	(Center for Prof. Adv.)
The Art of Negotiating	(Nierenbert)
Fundamentals of Distillation Operations	(Center for Prof. Adv.)
Financial Management	(DuPont)
Understanding Income and Cash Flow	(Dunn & Bradstreet)
Principles of Mixing, 1988	(Univ. of Wisconsin)
Pilot Plant and Process Scale up, 1997	(Univ. of Wisconsin)
Distillation Theory, 1996	(AIChE)
System Thinking and Analysis	(WSRC)
Parametric Statistics, 2000	(WSRC)
Business and Economic Seminars including: Venture Leasing, Business Valuation, RFP and Proposal Strategy Development, Selling Technology in Today's Environment, and Strategies for Licensing Intellectual Property.	