THE SECRETARY OF THE NAVY
WASHINGTON, D.C. 20350-1000

AUG 2 4 2004

Scott J. Bloch, Special Counsel
U.S. Office of Special Counsel
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Washington, D.C. 20036-4505

Dear Mr. Bloch:

Thank you for your letter requesting an inquiry into alleged violations at Naval Air Depot, North Island, San Diego, California (OSC File No. DI-030714). Enclosed please find the report of investigation.

The investigation substantiated one of the eleven allegations investigated to date. Corrective action is being taken to address the findings related to that allegation.

One allegation remains unresolved, pending an inspection of the USS KITTY HAWK, (CV-63) which will be performed when she returns from deployment later this year. Navy will file a supplemental report when that inspection is completed.

I am enclosing two versions of the report of investigation. The first contains the names of witnesses and is for your official use. I understand you will provide a copy of this version to the Complainant, the President, and Congress for their review.

The second version has been edited by removing the names of witnesses and is suitable for release to the general public. As is the case with other reports Navy has provided OSC since September 11, 2001, I request that you make only this redacted version available to members of the public.

Once again, thank you for bringing this matter to the Navy's attention. If I may be of any further assistance, please let me know at your earliest convenience.

Office of the Naval Inspector General

NAVINSGEN Case Number 20031027
OSC Case Number DI-03-0714

Report of Investigation

12 August 2004

Subj: ALLEGED VIOLATIONS AT NAVAL AIR DEPOT NORTH ISLAND (NADEP NI), SAN DIEGO, CA

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Preliminary Statement

1. This report is issued pursuant to a 5 December 2003 Office of Special Counsel (OSC) letter tasking the Secretary of the Navy to conduct an investigation under 5 USC 1213.

2. OSC is an independent federal agency whose primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices. OSC also serves as a channel for federal workers to make allegations of: violations of law; gross mismanagement or waste of funds; abuse of authority; and a substantial and specific danger to the public health and safety.

3. Reports of investigations conducted pursuant to 5 USC 1213 must include: (1) a summary of the information for which the investigation was initiated; (2) a description of the conduct of the investigation; (3) a summary of any evidence obtained from the investigation; (4) a listing of any violation or apparent violation of law, rule or regulation; and (5) a description of any action taken or planned as a result of the investigation, such as changes in agency rules, regulations or practices, the restoration of employment to an aggrieved employee, disciplinary action, and referrals to the Attorney General of evidence of criminal violations.

Information leading to the OSC Tasking

4. The OSC tasking stems from a complaint alleging that people working in Naval organizations in the San Diego, California area do not have the training, qualifications, and certifications required by Naval Air Systems Command (NAVAIR), Naval Sea Systems Command (NAVSEA) and local command directives.

5. OSC identified Ms. Kristin Shott, a Naval Air Depot North Island (NADEP NI) welder (WG-3703-10), as the person who provided OSC information that led it to task this investigation. OSC said Ms. Shott, hereinafter referred to as Complainant, consents to the release of her name. Other allegations Complainant made of a similar nature were investigated in 2002 and addressed in NAVINSGEN Case Number 20020058, OSC Case Number DI-00-0139 (the First Investigation). Those complaints resulted in the repair of welds in catapult hydraulic piping systems onboard five aircraft carriers.

6. The current allegations result from Complainant's review of the First Investigation. She asserts the matters addressed there were just some examples of improperly certified workers and

inspectors performing critical work at NADEP NI. She maintains the problems outlined in the original allegations are widespread in the following five organizations:

a. NADEP NI, a large industrial complex with approximately 3,500 skilled aircraft and marine tradesmen, planners, and engineers experienced in the depot level maintenance, repair and fabrication of aircraft, avionics, aircraft components, Aircraft Launch and Recovery Equipment (ALRE), Visual Landing Aids (VLA) and other aviation capable ship equipment. In general, NADEP NI was established to maintain and repair systems under NAVAIR cognizance. Consequently, the artisans are qualified or certified in accordance with NAVAIR Standards. Some NADEP NI personnel perform work onboard ships, including the members of the Voyage Repair Team (VRT) that was the subject of the First Investigation. Qualifications and certifications required to perform some shipboard work are governed by NAVSEA pursuant to an agreement between NAVAIR and NAVSEA contained in a 25 May 1983 NAVSEA letter.[1]

b. Aeronautical Shipboard Installation Representatives (ASIR), 32nd Street,[2] San Diego, which provides maintenance and repair services to aviation related equipment for ships home ported at Naval Station (NAVSTA) San Diego[3] under the direction and control of Naval Air Warfare Center, Aircraft Division (NAWCAD) Lakehurst, New Jersey. This organization is also known as the NAVAIR Field Support Team (FST), San Diego, and will be referred to in this report as ASIR/FST 32nd Street.

c. Space and Naval Warfare Systems Center (SSC), San Diego which performs research and development, provides engineering services, and directs maintenance and repair of command, control, and communications systems and ocean surveillance systems.[4]

d. Naval Base (NAVBASE) Point Loma, which performs engineering services and directs the maintenance and repair of submarines.

e. Shore Intermediate Maintenance Activity (SIMA), San Diego, which performs maintenance and repair of ships and submarines in the San Diego area. SIMA San Diego has detachments at Naval Base Point Loma (SIMA Submarine Maintenance Division (SSMD)) and at Naval Amphibious Base Coronado (SIMA Boat Repair Division/Coronado Detachment).

7. The investigators used information in the OSC tasking letter, data provided by NADEP NI, and their interviews of Complainant and other NADEP NI personnel to formulate the following allegations for investigation, employing the NADEP NI Quality Program Manual[5] as the standard for qualification and certification requirements in most instances:

Allegation 1: NADEP NI pipefitters and plumbers must be certified to perform silver brazing and visual inspections, but they are not certified to do this work.

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[1] NAVSEA ltr 05M2/KJP Ser 51 May 25, 1983.
[2] Identified as 32nd Street Voyage Repair Team (VRT) in the complaint.
[3] Also referred to as Naval Base, San Diego, which is located at 32nd Street.
[4] SSC San Diego is the current designation of the former Naval Ocean Systems Command identified in the complaint.
[5] NAVAIRDEPOTINST 4855.43B.

Allegation 2: NADEP NI Quality Assurance (QA) inspectors, Aircraft Launch And Device Mechanics (ALADs), machinists, air conditioning mechanics, and toolmakers must be certified to make precision measurements, but they are not certified to do this work.

Allegation 3: NADEP NI mechanics and toolmakers perform brazing and/or soldering tasks that require certification even though they are not certified to do this work.

Allegation 4: NADEP NI QA inspectors inspect sheet metal work even though they do not hold the certifications required to perform sheet metal work.

Allegation 5: NADEP NI shipfitters and aircraft jig and fixture builders must be certified to perform tack welding and visual inspections, but they are not certified to do this work.

Allegation 6: While repairing aircraft landing aid lighting and other equipment, NADEP NI avionics technicians perform soldering tasks that require certification even though they are not certified to do this work.

Allegation 7: NADEP NI avionics technicians calibrate aircraft landing aid light equipment even though they are not qualified to do this work.

Allegation 8: NADEP NI VRT Riggers operate forklifts and cranes even though they do not have the licenses required to operate this equipment.

Allegation 9: Welders at SIMA San Diego, ASIR/FST 32nd Street and NAVBASE Point Loma, along with welders, QA, and Nondestructive Inspection (NDI) personnel at SSC San Diego, do work they are not qualified to perform.

Allegation 10: NADEP NI, ASIR/FST 32nd Street and NAVBASE Point Loma artisans failed to replace radar shielding material they removed from the hangar doors of USS TARAWA (LHA-1) and at least seven destroyers, creating a safety hazard aboard those ships.

Allegation 11: P-1 piping weld deficiencies exist on USS KITTY HAWK (CV-63) similar to those uncovered in the First Investigation.

Allegation 12: Artisans in the NADEP NI Manufacturing Production Department and the Paint Complex do not have the certifications and qualifications required for the work they perform.

8. The investigators concluded that allegation 12 is substantiated. Allegation 11 remains unresolved pending an inspection to be conducted when the USS KITTY HAWK returns from deployment. Allegations 1 through 10 are not substantiated.

Description of Conduct of Investigation

9. The Secretary of the Navy referred the OSC tasking letter to the Office of the Naval Inspector General (NAVINSGEN). NAVINSGEN tasked NAVAIR and NAVSEA to conduct the investigation, designating NAVAIR as the lead.

10. NAVAIR and NAVSEA assembled a seven-person team to conduct the investigation. The team members included:

a. a staff IG investigator with over 15 years of investigative experience including ten years as head of an on-site IG office;

b. a Ph.D. in Mechanical Engineering/Materials Science with 24 years of active duty and reserve duty in the US Navy;

c. a Naval Architect and a licensed attorney with 24 years of active duty and reserve duty in the US Navy;

d. a ship's structural engineer with 19 years of experience designing ship structure and specifying welding procedures;

e. a welding and NDT specialist with 20 years of active duty Naval service and 5 years of civilian and government service;

f. a quality assurance auditor with 2 years of government service and 22 years of previous civilian experience in quality program Certification; and

g. a NAVAIR Acquisition Intern.

11. The investigators interviewed 25 people during the on-site portion of the investigation, conducted in January 2004. Interviewees included Complainant; artisans and quality assurance personnel identified by Complainant; other artisans, supervisors and managers; and the NADEP NI Quality Assurance Director.[6] The investigators also consulted with technical experts at headquarters organizations. They and NAVAIR personnel conducted supplemental interviews in March and April 2004. NAVINSGEN reviewers consulted additional experts in June 2004.

12. The investigators reviewed documents they thought were pertinent to the allegations. A list of these documents appears at the end of this report. For convenience, the titles of these documents appear in footnotes when mentioned in the text of the report. Counsel, NAVINSGEN coordinated the "actions planned or taken" sections of the report and wrote the final version.

13. In the First Investigation, Complainant alleged that artisans performed specific tasks without the qualifications and/or certifications necessary for those tasks. Complainant also alleged that Quality Assurance "inspectors" were not certified to inspect work they inspected. In that investigation, the investigators were able to identify specific tasks and the standards applicable to them. Consequently, for example, they were able to confirm that some welders who worked on high pressure piping joints had not been tested and certified as required by specific documents applicable to those types of welds. Likewise, they were able to confirm that some people who "inspected" the welds did not have the necessary training, qualifications, or certifications required by the specific standards applicable to the examinations they conducted.

[6] Two artisans identified in the complaint were not available. One was on family leave (Maternity) and the other is very ill.

14. Although Complainant makes the same types of allegations in this case, she was, for the most part, unable to identify specific work tasks to examine for violations. For example, in Allegation 3, while Complainant alleged mechanics and toolmakers perform brazing and soldering tasks that require certification even though they are not certified to perform those tasks, she could not identify specific projects the investigators could review.

15. To address this problem, the investigators audited various work centers in the organizations that are the subject of Complainant's allegations. They looked at assorted work records to identify the people who performed job tasks. They examined records maintained in the Quality Assurance Department to determine what qualifications and certifications those people held at the time they did that work. In one instance, discussed in allegation 12, they found that one person was performing work even though his certification to perform that work had expired.

16. Complainant also alleged that people who occupy certain positions are not qualified to hold them regardless of the specific work they may perform. For example, in Allegation 1, Complainant alleged pipefitters must be certified to perform silver brazing.

17. To address this matter, the investigators examined documents that might identify the type of work a pipefitter must be able to perform. These included position descriptions (PDs)[7] and the NADEP NI Quality Program Manual.[8] They read only one PD that mentions a specific task or work process Complainant identified. They found that the Quality Program Manual talks about the qualifications necessary to perform specific tasks or work processes, but not about the qualifications of a specific trade, such as pipefitter or welder. Thus, for example, they could use the Quality Program Manual to identify qualifications required to perform brazing and to determine that silver brazing is a "special process" that requires a special process certification.[9] However, the Manual does not indicate what type of artisan performs silver brazing.

18. In the example cited, the investigators found one pipefitter PD that requires the occupant of that position to perform silver brazing. Noting that the Quality Program Manual lists silver brazing as a special process requiring certification,[10] they then reviewed the individual qualification records (IQRs) for that pipefitter and found he was properly certified to perform silver brazing. Taking the matter one step further, they also audited work records to spot check for people who had performed silver brazing without first becoming certified to perform this special process. They did not find any uncertified pipefitters had performed silver brazing.

19. The investigators noted that witnesses used the terms "certified", "qualified" and "trained" loosely and interchangeably. The investigators decided to find an artisan "qualified" to perform

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[7] Counsel, NADEP NI explains that PDs for blue-collar workers are called "Job Descriptions" (JDs). Since NADEP NI writes JDs on PD forms, the investigators called them PDs in their drafts, and we use that term in this report.
[8] NAVAIRDEPOTINST 4855.43B.
[9] This process was facilitated by actions NADEP NI took in response to the First Investigation. For example, it issued a revised Chapter 4, Certification Program, and Chapter 5, Special Process Skill Certification Program, for the Quality Program Manual. NADEP NI also created an electronic database to track the qualifications of individual artisans in real time.
[10] Special process certifications are required when the task requires a level of skill not available in the general skilled workforce and the performance of the finished product depends heavily on the artisan performing the work correctly. Examples of skills requiring special process certification are: welding, brazing, electrical soldering and some paint and surface conversion techniques.

a job task if his or her IQR indicates the artisan is currently qualified to perform it. They decided to find an artisan "certified" to perform a certain task if Chapter 5 of the Quality Program Manual identifies the task as one that involves a "special process skill" requiring a special process certification and records indicate the artisan has been so certified. Personnel currently certified to perform special process skills are listed on a "Stamp, Special and Unique Skills Certification Report" (the Certification Report); expired certifications are listed in a separate report. The investigators reviewed both documents and consider an artisan "certified" to perform a special process skill if the artisan is listed in the Certification Report for that skill and is not listed in the expired certification report. The investigators use the term "certifier" to describe an artisan trained in the requirements of the NADEP NI Quality Manual, Chapter 4, permitting the artisan to "certify" (stamp) that work has been performed in accordance with specifications.[11]

Summary of Evidence Obtained During Investigation

Allegation One

20. NADEP NI pipefitters and plumbers must be certified to perform silver brazing and visual inspections, but they are not certified to do this work.

Findings

21. The investigators found that there are no plumbers employed at NADEP NI.

22. The investigators reviewed three NADEP NI pipefitter PDs, two of which are used by the NADEP NI VRT. None listed a requirement for certification in visual inspection techniques.[12]

23. The investigators also found that only one of the pipefitter PDs, number QA490, contains a requirement to be able to perform silver brazing. This PD is for the NADEP NI VRT.

24. The investigators reviewed the IQRs for the only person currently assigned to a position described by PD QA490 and learned that he is certified to perform silver brazing. Further inquiry revealed that NADEP NI wrote PD QA490 in late 2003 because it decided NADEP NI VRT pipefitters should become qualified to perform silver brazing.

25. The investigators reviewed the Quality Program Manual to determine whether pipefitting is a special process that requires certification. It is not.

26. Complainant named four pipefitters who work in the NADEP NI VRT and said they are not certified to perform brazing, a special process requiring certification. The investigators found one of them is, in fact, certified to perform silver brazing, as explained in paragraph 24 above.

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[11] A potential source of confusion regarding certification of work and workers may arise when an artisan "certifies" that the work was performed to standards but the specific job task does not require a special process certification. While the process of stamping the documentation is called certification, the artisan is only documenting the fact that the work was done to the proper standards for the task performed. An artisan is required to qualify as a certifier to obtain a certification stamp. This stamp certifies that the work is completed in accordance with the approved procedures and drawings. A certifier must receive refresher training every two years. The certifier program is related to, but separate from, the Special Process Certification program.

[12] Counsel, NADEP NI sent NAVINSGEN three more pipefitter PDs, none of them mentions visual inspection.

The other three are not, but they are working under PDs that do not require them to perform silver brazing. NADEP NI states it intends that these pipefitters eventually will become certified to perform silver brazing and then NADEP NI will use PD QA490 for their positions.

27. The investigators reviewed work in progress and production records to determine whether any NADEP NI VRT pipefitters had performed welding or brazing tasks and found they had not.

28. Complainant alleged that pipefitters working in the NADEP NI Maintenance Shop need brazing and welding certifications to perform their work. However, Maintenance Shop pipefitter PDs do not indicate they are required to braze or weld. Thus, these pipefitters are not required, by virtue of the positions they hold, to obtain brazing or welding special process certifications.

29. The investigators learned that the only pipefitting tasks performed in the Maintenance Shop are related to maintenance of NADEP NI buildings. American Welding Society (AWS) requirements[13] govern the welding and brazing of these pipes. There is no requirement that welders or brazers who perform these tasks on NADEP NI buildings possess NAVAIR or NAVSEA welding certifications. NAVAIR, NAVSEA or NADEP NI Instructions that apply to work related to shipboard systems do not govern performance of these shore-based functions.[14]

30. Complainant alleged that NADEP NI Maintenance Code 600 welders and pipefitters who normally work in the Maintenance Shop were sometimes assigned temporary work at the NADEP NI VRT. Witness No. 13, a NADEP NI VRT Program Manager, stated that Maintenance Shop pipefitters and welders had occasionally been used as laborers in the past, but did not perform any of their normal pipefitting or welding tasks while acting as laborers. Those Maintenance Shop pipefitters and welders did not weld or braze for the VRT. He said maintenance shop welders and pipefitters are no longer assigned temporarily to the VRT.

31. Witness No. 7, a Plant Maintenance Branch Manger, said maintenance personnel are not currently being assigned to other work centers. The NADEP NI VRT welding and brazing records the investigators reviewed indicated that no uncertified welders or brazers performed work that required certification. Thus, while the Complainant's assertion that Code 600 pipefitters and welders were occasionally assigned to work at the VRT although they were not certified for shipboard work may be true, the investigators found they did not perform pipefitting or welding duties while so assigned. Their only function was to provide extra hands for the labor necessary to assist full-time VRT personnel in completing their tasks.

32. Complainant alleged that welders must be certified to perform visual inspections. The investigators reviewed welder PDs and found no such requirement.

33. It is true that each welder must evaluate his or her own work to ensure it meets workmanship standards and procedures.[15] This evaluation includes visual examination of the weld by the welder. However, that "inspection" must not be confused with "non-destructive testing" or "non-

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[13] AWS – Certified Welder Program.

[14] The investigators noted that Complainant tended to ignore or confuse the distinction between requirements and standards for work related to shipboard systems and those applicable to work related to shore based systems.

[15] Requirements for Welding and Brazing Procedures and Performance Qualifications S9074-AQ-GIB-010/248.

destructive inspection" (NDI) required by some NAVSEA technical directives[16] that apply to welding performed on Navy ship structures, piping and machinery. Certified NDI Level II inspectors must perform this later form of inspection. Although nothing prevents a welder from becoming a certified NDI Level II inspector, welders who also are certified NDI Level II inspectors may not inspect their own welds.[17]

Conclusions

34. The allegation is not substantiated.

Listing of Actual/Apparent Violations

35. None.

Actions Planned or Taken

36. None.

Allegation Two

37. NADEP NI Quality Assurance (QA) inspectors, Aircraft Launch And Device Mechanics (ALADs), machinists, air conditioning mechanics, and toolmakers must be certified to make precision measurements, but they are not certified to do this work.

Findings

38. Position descriptions for ALADs, machinists, solderers, jig and fixture builders, and toolmakers do not require a separate qualification for precision measurement.[18] Some tasks performed by these artisans certainly require the use of precision measuring instruments. However, on the job (OJT) experience gained by performing these tasks qualifies a worker to use precision measurement instruments. These qualifications, when attained, are listed on each artisan's individual qualifications record and are permanent qualifications (that is, no periodic requalification is required).

39. Although Complainant refers to air conditioning mechanics, the investigators could not find this position listed in the NADEP NI record that identifies positions in the organization.[19] After further inquiry with Complainant and an aircraft plant maintenance supervisor, they identified a production machinery mechanic as the individual who performs air conditioning and refrigeration mechanic services for NADEP NI. The supervisor stated that the mechanic has attended school for air conditioning and refrigeration and is qualified to perform these functions. His IQR reflects this qualification. The investigators could find no special requirements to perform air conditioning and refrigeration tasks in any controlling documents.

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[16] Requirements for Non Destructive Testing Methods, NAVSEA T9074-AS-GIB-010/271, S9074-AQ-GIB-010/248, T9074-AB-GIB-010/1689A 23 November 1990.
[17] Quality Program Manual, Chapter 5, page 5-73.
[18] Cited Artisans' Position Descriptions.
[19] The Position/Title/Number Report.

40. Complainant alleged that Witness No. 2, a Maintenance Division (Code 600) aircraft jig and fixture builder, formerly a toolmaker, is not certified to make precision measurements. As noted above, there is no precision measurement certification and no separate precision measurement qualification in the jig and fixture builder PD.

41. During her interview, Complainant asserted that a Quality Assurance Specialist (QAS) must be qualified to perform the work of the trades he or she verifies as having been properly completed. Thus, she maintains, if a job task requires precision measurement, the QAS who looks at the work also must be qualified to make precision measurements. The investigators found that this assertion is not correct. The function of a shop QAS is to verify that qualified personnel follow the proper procedures and that the work is properly documented. The QAS need not be able to perform the work.[20]

42. Complainant alleged that Witness No. 10, a QA "inspector," is not certified to make precision measurements. Witness No. 10 is a QAS. A QAS is not required to make precision measurements and there is no certification required to make precision measurements. The investigators compared Witness No. 10's IQR to his PD and concluded he has been qualified to perform all the functions of his QAS position since 1987.

43. In March 2003, Puget Sound Naval Shipyard (PSNS) personnel offered NADEP NI VRT artisans training in precision measurement techniques. Witness No. 10 attended the class as an observer. He was not required to take the end-of-course examination, but chose to do so. Witness No. 10 told the investigators that he did not receive a passing grade and elected not to re-take the examination.[21] The fact that he failed this examination does not affect the finding for this allegation, because Witness No. 10's job does not require him to make precision measurements.

Conclusion

44. The allegation is not substantiated.

Listing of Actual/Apparent Violations

45. None.

Actions Planned or Taken

46. None.

[20] NAVAIRDEPOTINST 4855.43B, CH-2 Chapter 7.
[21] Witness No. 10 Statement.

Allegation Three

47. NADEP NI mechanics and toolmakers perform brazing and/or soldering tasks that require certification even though they are not certified to do this work.

Findings

48. Brazing is a special process skill that requires certification to NAVAIR or NAVSEA standards if it is performed on or around equipment that becomes part of an aircraft or ship. NADEP NI also has a soldering certification process. An artisan may be certified in basic, miniature and micro-miniature soldering for electrical and electronic components.

49. Complainant alleged Witness No. 2, a WG-3401-11 Maintenance Division (Code 600) Aircraft Jig and Fixture builder,[22] is not certified to braze or solder. The investigators found that Witness No. 2's IQR does not indicate he is certified to braze or solder. They also found that Witness No. 2 does not braze or solder in his current position.

50. Witness No. 2 told the investigators that when he worked as a NADEP NI VRT toolmaker, he performed brazing operations while manufacturing carbide tipped tools. NAVAIR and NAVSEA standards did not require certification for that work.

51. Complainant alleged that Witness No. 9, WG-3703-10, a welder, lacks required certifications. NADEP NI currently has an excess number of welders and Witness No. 9 has been assigned to the NADEP NI instrument shop as a mechanic who performs soldering. His assigned tasks include sealing aircraft instrument cases with a soldering process. He performs no brazing tasks.

52. Witness No. 9 does not solder electronic components. He seals aircraft instrument housings after overhaul. This type of soldering is not a special process requiring certification.

53. Witness No. 9's IQR shows he was qualified to perform the sealing operation in February 2002. He acknowledged this qualification by affixing his certifier stamp and signature to the IQR as required by the Quality Program Manual.[23] In 2003, Witness No. 9 received a certificate of appreciation for sealing instrument housings.[24]

54. The investigators conducted spot checks in various work centers to determine whether artisans were certified for the task they were performing. They found no discrepancies except for Witness No. 21, who is discussed in allegation 12.

Conclusion

55. The allegation is not substantiated.

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[22] Identified in the OSC complaint by his former position of a VRT toolmaker.
[23] Ibid., Chapter 4.
[24] Certificate of Appreciation for Witness No. 9.

Listing of Actual/Apparent Violations

56. None.

Actions Planned or Taken

57. None (but see allegation 12).

Allegation Four

58. NADEP NI QA inspectors inspect sheet metal work even though they do not hold the certifications required to perform sheet metal work.

Findings

59. The NADEP NI Quality Program Manual delineates the tasks and qualifications required of a QAS.[25] A QAS verifies that qualified, certified and trained artisans perform the work and that completion of the work is properly documented. A QAS is not required to be certified or qualified to perform in the trade of the work he or she verifies.

60. Complainant alleged QA "Inspector" Witness No. 14, GS-1910-9, lacks required sheet metal certification. Investigators reviewed the Quality Program Manual and found no special process certification requirement for sheet metal work.[26] Sheet metal workers are qualified through OJT for each specific task. The qualification is documented in each worker's IQR.

61. Witness No. 14 is a QAS assigned to audit mobile facilities and other operations. In his current position, Witness No. 14 verifies sheet metal work performed by mobile facilities artisans.

62. In his present assignment, Witness No. 14 is not required to be qualified as a sheet metal worker. However, Witness No. 14 was qualified to perform sheet metal work before his assignment to the Quality Assurance Department.

Conclusion

63. The allegation is not substantiated.

Listing of Actual/Apparent Violations

64. None.

Actions Planned or Taken

65. None.

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[25] Ibid., Chapter 7.
[26] NAVAIRDEPOTINST 4855.43B CH-2 Chapter 5 Enclosure (1).

Allegation Five

66. NADEP NI shipfitters and aircraft jig and fixture builders must be certified to perform tack welding and visual inspections, but they are not certified to do this work.

Findings

67. The investigators reviewed the Quality Program Manual[27] to determine whether any of the tasks shipfitters perform require special process certifications. They found none. A shipfitter becomes qualified to perform tasks required of the position through OJT[28] and none of those tasks require special process certifications. The investigators also concluded that shipfitters are not required to tack weld or perform visual inspections.

68. The investigators reviewed the Quality Program Manual to determine whether any of the tasks aircraft jig and fixture builders perform require special process certifications[29] They found none. An aircraft jig and fixture builder becomes qualified to perform specific tasks through OJT.[30] The investigators also concluded that aircraft jig and fixture builders are not required to tack weld or perform visual inspections.

69. Complainant alleged NADEP NI VRT shipfitter Witness No. 1, WG-3820-10, and another shipfitter, WG-3820-10, are not certified to tack weld and perform visual inspections.

70. Although production welding and visual inspection are special processes that require certification, tack welding is not. The investigators' review of NADEP NI VRT records revealed that Witness No. 1 and the other shipfitter are qualified to perform the shipfitter tasks assigned to them. Witness No. 12, a VRT supervisor, said Witness No. 1 and the other shipfitter do not tack weld or perform visual inspections.

71. The investigators reviewed NADEP NI VRT records to determine whether any shipfitters were tack welding or performing visual inspections, with negative results.

72. Complainant also alleged that three jig and fixture builders assigned to NADEP NI Maintenance Code 600 are not certified.

73. NADEP NI records identify five aircraft jig and fixture builders assigned to Maintenance Code 600. The investigators reviewed the IQRs for each and found that all are qualified, through documented OJT records, to perform as aircraft jig and fixture builders.[31]

74. The investigators' review of Maintenance Code 600 records did not reveal that aircraft jig and fixture builders were making tack welds or performing visual inspections.

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[27] NAVAIRDEPOTINST 4855.43B CH-2 Chapter 5 Enclosure (1),
[28] Shipfitter Position Description,
[29] NAVAIRDEPOTINST 4855.43B CH-2 Chapter 5 Enclosure (1),
[30] Jig and Fixture Builder Position Description,
[31] Jig and Fixture Builder Position Description,

Conclusion

75. The allegation is not substantiated.

Listing of Actual/Apparent Violations

76. None.

Actions Planned or Taken

77. None.

Allegation Six

78. While repairing aircraft landing aid lighting and other equipment, NADEP NI avionics technicians perform soldering tasks that require certification even though they are not certified to do this work.

Findings

79. The investigators asked Complainant to clarify this allegation during her interview. Simply, and without any further expansion, Complainant stated that NADEP NI VRT avionics electronic mechanics and electricians lack the required soldering certification.

80. In the absence of any other clarifying information, the investigators decided to treat the electricians assigned to NADEP NI VRT shops 94301, 94302 and 94309 as the "avionics technicians" in question. They reviewed the records of the six electricians assigned to these shops and found that five of them are certified to perform basic or miniature soldering.[32] NADEP NI VRT Supervisor Witness No. 12 stated that the sixth electrician is not assigned soldering tasks.

Conclusion

81. The allegation is not substantiated.

Listing of Actual/Apparent Violations

82. None.

Actions Planned or Taken

83. None.

[32] Stamp, Unique & Special Skills Certification report (sorted by shop) 21 Jan 04.

Allegation Seven

84. NADEP NI avionics technicians calibrate aircraft landing aid light equipment even though they are not qualified to do this work.

Findings

85. The investigators determined that Complainant is referring to the Fresnel Lens Optical Landing System (FLOLS). They found that NADEP NI personnel do not calibrate the FLOLS. The Carrier and Fleet Service Unit (CFSU) performs this work. CFSU is a component of Commander, Naval Air Force, U.S. Pacific Fleet, which does not report to NADEP NI.

86. CFSU operates under the technical authority and guidance of the Naval Air Warfare Center Aircraft Division (NAWCAD), Lakehurst, New Jersey, a NAVAIR subordinate command. A Deputy Director of the NAWCAD Lakehurst Support Equipment/Aircraft Launch and Recovery Equipment (SE/ALRE) Department stated that CFSU personnel who calibrate the FLOLS are not required to be certified. They learn the proper procedures for calibrating the system by attending the SE/ALRE school. He also said all CFSU personnel are qualified to perform calibrations.

87. A Director of Air Launch and Recovery Flight Safety Program at NAWCAD Lakehurst told the investigators there is another system, the Improved Fresnel Lens Optical Landing System (IFLOLS), to which Complainant may be referring. He said NADEP NI VRT and CFSU personnel do not calibrate this system, which is installed only on carriers. NAWCAD, Lakehurst is responsible for calibrating the IFLOLS.

88. The investigators learned that NADEP NI VRT does repair and maintain the cells of the FLOLS. Part of the repair process includes confirming that the light is visible over a designated arc.[33] This confirmation is a separate and distinct process from calibration.

89. Witness No. 13 also told investigators that the "avionic technicians" in the VRT, who are actually marine electrical and electronic mechanics, do not perform any type of calibration on the FLOLS. Witness No. 13 said these VRT personnel disassemble cells on the FLOLS and replace parts. They also work on switches or circuit boards requiring repair or replacement. After performing this work, they check the cells from a distance of approximately 50 to 75 feet to ensure the lights properly transition from one color to another. Upon completion of in-shop repairs, the units are tested and the results are documented to provide an audit trail for quality assurance purposes. After the final units are installed, the CAFSU representative verifies performance and certifies the work. Witness No. 13 also said no other VRT personnel perform work that involves calibrating the FLOLS.

Conclusion

90. The allegation is not substantiated.

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[33] Statements of Witnesses No. 10 and 16.

Listing of Actual/Apparent Violations

91. None.

Actions Planned or Taken

92. None.

Allegation Eight

93. NADEP NI VRT riggers operate forklifts and cranes even though they do not have the licenses required to operate this equipment.

Findings

94. People who operate forklifts must have a forklift operating license.[34] There are four riggers assigned to NADEP NI VRT. The investigators reviewed forklift license information for these riggers and learned that three of them are licensed to operate forklifts.[35] They found the fourth rigger was on light duty and did not operate forklifts. The investigators' review of the Support Equipment License Report also revealed that several other NADEP NI VRT artisans have forklift licenses.

95. The investigators made several unannounced visits to NADEP NI. They did not find any unlicensed personnel operating forklifts during those visits. They asked questions about forklift licenses and unlicensed drivers. Witness No. 2, presently assigned to NADEP NI Maintenance Code 600, stated that he operated a forklift without a license on one occasion several years ago and said that he has not done so since.[36]

96. People who operate cranes must be licensed. The investigators reviewed completion certificates for the 40-hour Naval Crane Center course. They learned that the four riggers assigned to NADEP NI VRT are qualified to operate category 3 cranes. There is no other "certification" required to operate these cranes.

97. The investigators also learned that the Naval Crane Center, a component of the Naval Facilities Engineering Command, audited NADEP NI crane operations in December 2003.[37] The Naval Crane Center reported that the NADEP NI weight handling equipment and rigging gear programs were satisfactory, with a 100% satisfactory audit sample rate.

98. The investigators do not consider Witness No. 2's admission that he violated the licensing requirement on a single occasion several years ago adequate to substantiate an allegation that the standard is being violated at this time.

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[34] NAVAIRDEPOTINST 12410.4A, Forklift Operator Licensing and Training.
[35] Support Equipment License Report pp. 44-46.
[36] Statement of Witness No. 2.
[37] Navy Crane Center Audit of Management of Weight Handling Equipment at NADEP NI dtd 5 Dec 2003.

Conclusion

99. The allegation is not substantiated.

Listing of Actual/Apparent Violations

100. NAVAIRDEPOTINST 12410.4A, Forklift Operator Licensing and Training.

Action Planned or Taken

101. Counsel, NADEP NI advises that NADEP NI does not intend to take any disciplinary action against Witness No. 2 because the incident occurred several years ago, has not been repeated, and is not likely to reoccur because Witness No. 2 understands that it was improper.

Allegation Nine

102. Welders at SIMA San Diego, ASIR/FST 32nd Street and NAVBASE Point Loma, along with welders, QA, and Nondestructive Inspection (NDI) personnel at SSC San Diego, do work they are not qualified to perform.

Findings

103. Complainant could provide no specific information to support her allegations relative to SIMA San Diego. The investigators reviewed a SIMA San Diego annual Fleet Maintenance Activity Assessment (FMAA) audit that was completed on 16 April 2004 to determine whether it provided any information that would support Complainant's allegation. The audit assigned SIMA San Diego an overall evaluation of effective in the metal working area, which encompasses welding, brazing, NDT and qualification. The audit did not report any instances of unqualified welders. After reviewing the audit report, the investigators decided not to conduct an on-site investigation of this organization.

104. Complainant could provide no specific information to support her allegations relative to ASIR/FST 32nd Street. The investigators reviewed a NAVSEA audit of ASIR/FST performed in March 2003.[38] This audit assesses compliance with both NAVAIR and NAVSEA Quality Assurance programs, and is performed at least every two years. There were no deficiencies identified in the 2003 audit. After reviewing the audit report, the investigators decided not to conduct an on-site investigation of this organization.

105. Complainant could provide no specific information to support her allegations relative to SSC San Diego. This organization does not have any artisans doing shipboard work.[39] The artisans employed by SSC San Diego work in Supply Receiving and Shipping. The fact that there are no artisans performing shipboard work at SSC San Diego led the investigators to decide they did not need to conduct an on-site investigation.

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[38] NNSWCCD-SSES ltr 4855 Ser 623/316 dtd 12 May 03.
[39] Based on review by Lead Investigator for this investigation.

106. A GS-0894-15 Welding Engineer at NAVSEA who provided technical support for this investigation stated that he recalled there was a problem with some SPAWAR activity contract welders' NDT and welding qualifications a number of years ago. He could not remember the details of the problem and said it was resolved after the shipyards became aware of the matter. To his knowledge, the problem has not reoccurred. The investigators did not consider this a sufficient basis to substantiate an allegation that personnel currently working at these organizations are not qualified.

Conclusion

107. The allegation is not substantiated.

Listing of Actual/Apparent Violations

108. None.

Action Planned or Taken

109. None.

Allegation Ten

110. NADEP NI, ASIR/FST 32nd Street and NAVBASE Point Loma artisans failed to replace radar shielding material they removed from the hangar doors of USS TARAWA (LHA-1) and at least seven destroyers, creating a safety hazard aboard those ships.

Findings

111. According to the OSC tasking letter, Complainant believes NADEP NI VRT personnel removed, but did not replace, radar shielding from hangar doors on USS TARAWA (LHA-1). The OSC tasking letter also states Complainant "recalls personally removing radar shielding from at least seven other destroyers" and believes the problem also exists on the hangar doors of all destroyers that ASIR/FST 32nd Street and NAVBASE Point Loma welders repaired.

112. During her initial interview, Complainant said the work in question took place before 1997, and she uses "destroyer" to refer to all ships that are not aircraft carriers. During a telephone interview on 2 April 2004, Complainant denied referring to USS TARAWA (LHA-1) hangar bay doors and said she did not recall working on that ship.

113. The investigators visited USS TARAWA (LHA-1) to determine the status of its hangar doors. The ship's Auxiliary Engineering Division maintains and operates these doors. Investigators were told that these steel doors do not have any type of shielding installed on them, because access panels within the doors would not be accessible for maintenance if there were shielding on the face of the hangar doors. The doors were being overhauled offsite and were not available for inspection.

114. The investigators spoke to two technical experts at NAVSEA. One is an LHA/LHD Ship Manager, PEOSHIPS-F; the other is an Aviation Integration Officer, PEOSHIPS-F. Both stated

that to the best of their knowledge there is no radar absorbent material (RAM) installed on the hangar bay doors of LHA or LHD class ships.[40] The Officer's s experience and knowledge are first hand, having served as the Aircraft Intermediate Maintenance Officer aboard LHA class vessels.

115. With respect to other "destroyers" she worked on, Complainant described removing a rubbery material from the hangar doors. She said that, under this layer, there was a very thin layer of aluminum, similar to aluminum foil, which she had to scrape off to perform assigned welding. Complainant stated that she and other artisans cut out portions of the rubbery substance and scraped off the foil-like layer to clear areas for the welds. After the welds were completed, she and other artisans glued the rubbery substance back in place without replacing the foil.

116. Investigators reviewed NADEP NI VRT work estimates prepared in 1999 and 2000 for hangar door repairs on one Perry Class Frigate (FFG) and six Spruance Class Destroyers (DD). These estimates specifically state that the crew of the vessel being repaired is responsible for repair and replacement of rubberized protective material, which is sometimes referred to as "EMP/EMI protection," and other times referred to as the "PCMS."

117. The investigators obtained a copy of the NAVSEA standard for installation and repair of the Passive Countermeasures System (PCMS) employed on many ships.[41] One of the materials described in this document is made of rubber; another is neoprene with a silver back. NAVINSGEN reviewers spoke to the author of this document, who said these materials also are installed on the superstructure of a number of other naval vessels. He confirmed that this material is often damaged during repairs of the structures they cover and must be replaced by specially trained members of the ship's compliment. He said there is a requirement for quarterly inspection of this material to ensure its integrity.

118. NADEP NI supervisors also told the investigators that Complainant and her fellow artisans are not qualified or authorized to replace these materials when they remove them in order to perform their work. They also stated that NAVSEA requires that qualified personnel stationed aboard the vessel repair these materials. Therefore, they said there is no need or requirement for NADEP NI VRT personnel to replace them.

119. Due to the lack of any specific information regarding which "destroyers" had hangar door PCMS materials removed, investigators were unable to pursue this matter further with respect to work that may have been performed by ASIR/FST 32nd Street or NAVBASE Point Loma personnel.

120. Based on the foregoing, the investigators found that if any NADEP NI, ASIR/FST 32nd Street or NAVBASE Point Loma artisans failed to replace radar shielding material they removed to effect repairs, this would not constitute a safety hazard as they were not supposed to replace it. They also determined that any deficiency in this material would have been detected during periodic inspections and thereafter corrected, rendering moot Complainant's safety concerns.

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[40] They also knew of no electrical magnetic pulse (EMP), or electrical magnetic interference (EMI) materials installed on the doors.
[41] NAVSEA PCMS Repair/Installation Methods RIM 05T1-99 Paragraph B.3.

Conclusion

121. The allegation is not substantiated.

Listing of Actual/Apparent Violations

122. None.

Actions Planned or Taken

123. None.

Allegation Eleven

124. P-1 piping welding deficiencies exist on USS KITTY HAWK (CV-63), similar to those uncovered during the First Investigation.[42]

Findings

125. The First Investigation revealed that NADEP NI VRT personnel produced non-conforming welds on five aircraft carriers. Complainant did not identify USS KITTY HAWK (CV-63) as one of those carriers at the time of the First Investigation. She now alleges it must have the same defects because NADEP NI VRT personnel performed similar work on it.

126. The investigators found that NADEP NI VRT personnel did not perform the specific service change work on USS KITTY HAWK (CV-63) that produced the nonconforming welds on the other carriers.[43] In response to the First Investigation, however, NADEP NI established a plan to identify all critical carrier piping systems that NADEP NI VRT personnel welded prior to February 2002.[44] NADEP NI records indicate that VRT personnel performed nine jobs on the USS KITTY HAWK (CV-63) involving such piping systems. This work will be inspected during the ship's regular overhaul scheduled for September 2004.[45]

Conclusion

127. The allegation of non-conforming P-1 pipe welds aboard the USS KITTY HAWK (CV-63) remains unresolved pending an inspection of piping systems during her overhaul scheduled to begin at the end of September 2004 and will be discussed in a supplemented report.

Listing of Actual/Apparent Violations

128. To be determined upon inspection.

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[42] NAVINSGEN Case Number 20020058 and OSC Case Number DI-00-0139.
[43] The work was performed by NAVSHIPREPFAC Yokosuka during SRA 903, 13 Nov 98 to 18 Jan 1999, as documented in Carrier and Field Service Unit (CAFSU) Report 079-99, dated 15 March 1999.
[44] Documented by DL 001/3027 in accordance with NAVSHIPYDPUGETINST 4355.19.
[45] The subject matter experts assigned to the First Investigation concluded there is no exigent safety concern that requires an immediate inspection and repair of any nonconforming work.

Action Planned or Taken

129. P-1 piping systems on the KITTY HAWK (CV-63) that were welded by NADEP NI VRT will be inspected and, if necessary, repaired.[46]

Allegation Twelve

130. Artisans in the NADEP NI Manufacturing Production Department and the Paint Complex do not have the certifications and qualifications required for the work they perform.

Findings

131. The Manufacturing Branch and the Paint Complex are two separate organizations within two different divisions of the Strategic Business Teams Unit, which is sometimes referred to as the Production Department. Complainant was unable to identify any artisans in the NADEP NI Manufacturing Branch or the Paint Complex who did not have the necessary certifications or qualifications except as discussed in Allegation 3. The investigators decided to make further inquiries into the status of certifications on their own, and interviewed Witness No. 6, a GS 303-6, Employee Development Administrative Assistant, who also performs work to coordinate certification training activities and records.

132. When the investigators asked if anyone was working with an expired certification, Witness No. 6 told them the soldering certification for Witness No. 21, WG 2610-12, Certification stamp C1648, expired in August 2003 and had not been renewed. Witness No. 21 is an Integrated Electronics Systems Mechanic. He works the second shift in the E-2/C-2 Shop (Code 93502) of the Avionics Branch, which is in a third division of the Production Department. The second shift supervisor is Witness No. 20, a WS 2610-12.

133. The investigators then reviewed quality assurance records for work group 93502. The records indicated that Witness No. 21 and five first shift employees had expired certifications.[47]

134. The investigators visited the E-2/C-2 Shop and interviewed Witness No. 20 and Witness No. 21. They also interviewed Witness No. 22, WS 2610-12, the first shift supervisor, and two of the first shift artisans that appeared to have expired certifications, Witness No. 23, WG 2610-12, and Witness No. 24, WG 2604-11.

135. Witness No. 20 said he was aware Witness No. 21's certification had expired. He told the investigators Witness No. 21 had been scheduled for the re-certification class several times, but had been unable to attend for various reasons. Witness No. 20 assured investigators that he had not assigned Witness No. 21 any tasks involving soldering and that he would initiate disciplinary action if Witness No. 21 was continuing to solder. However, when the investigators subsequently reviewed five work packages for work performed by Witness No. 21 between January 8 and 21, 2004, they found that he was still soldering.

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[46] Documented by DL 001/3027 in accordance with NAVSHIPYDPUGETINST 4355.19.
[47] Expired Special Process Certifications pp. 4 and 5.

136. When the investigators interviewed Witness No. 21, he freely admitted he performed repair work involving soldering virtually every day, even though he knew his certification had expired. He told them he used his stamp to certify this work, which is a violation of the Certifier Program requirements.[48] The work packages the investigators reviewed indicated all subtasks were stamped C1648, which is the number of Witness No. 21's Certifier Stamp.

137. The investigators found that the shop QAS completed a QA Monitoring/Audit Checklist on 18 December 2003, which noted Witness No. 21's soldering special process certification had expired. A Quality Correction Notice (QCN) was initiated on 23 December 2003 reflecting this deficiency. The QCN indicates the QAS discussed the deficieny with Witness No. 20 then.

138. Witness No. 22 told the investigators that the five first shift artisans under his supervision had been re-certified, but their electronic IQRs had not as yet been updated. Investigators met with two of these artisans, Witness No. 23, WG 2610-12, and Witness No. 24, WG 2604-11. Witness No. 23 and Witness No. 24 stated that they had completed re-certification training in November and December 2003. Witness No. 6 verified that Witness No. 23 and Witness No. 24 had been re-certified in December 2003 and January 2004.

139. Witness No. 6 explained that her duties are split between administrative functions and coordinating training, and that she has difficulty completing both duties. She added that the documentation for certification is not always received in a timely fashion from the persons conducting the training, and because of the duality of her duties and the lack of adequate administrative support, the certifications are not always updated in the electronic IQR system in a timely fashion.

140. While on-site, investigators reviewed the NADEP NI Expired Special Process Certifications Report of artisans whose certifications had expired.[49] This list showed approximately 150 expired special process certifications.[50] Subsequent review of the Expired Special Process Certifications Report on 1 March 2004 showed 194 personnel with expired special process certifications. At that time, Witness No. 6 advised that there were more re-certifications that had been completed but that she had not yet entered these updates into the database because she was awaiting completed Operator Certification/License Request forms documenting completion of training. It is important to note that NADEP NI's Quality Manual prohibits employees with expired special process certifications from performing work requiring certification. Both artisan and supervisor are responsible for ensuring the artisan is fully certified to perform the work assigned. Except for the artisan and supervisor noted in paragraph 135, investigators found no other evidence of work being performed by uncertified personnel.

141. The investigators inquired into the work performed by Witness No. 21 in January 2004. The repairs made in these instances were to individual circuit boards that are components of computers. They learned that during the repair process, each sub-system, such as a circuit board, is individually tested. After reassembly, the whole computer is functionally tested before it is listed as ready for issue (RFI). Subsequent inquiries of Witness No. 25, Relief Supervisor in shop 93502, revealed that the individuals who certify a computer is RFI are required to be certified for

[48] NAVAIRDEPOTINST 4855.43B CH- 2, Chapter 4.
[49] Expired Special Process Certifications dtd 21-JAN-04 pp.1-12
[50] This does not mean that 150 people required re-certification; many had 2 or more expired certifications.

that function. Witness No. 25 stated that all the persons performing that function are currently certified. Although the investigators did not specifically trace each circuit board repaired by Witness No. 21 to a specific computer, they found no evidence that any work performed by Witness No. 21 had failed a test. The investigators believe Witness No. 21's work met standards because if one item or sub-system fails, the end item will not function.

142. Technically, the investigators could have concluded this allegation is not substantiated, because they found no violations in the NADEP NI Manufacturing Branch or the Paint Complex. However, given the violation the investigators did identify, which occurred in the Production Department, they decided to substantiate the allegation in order to highlight the problem to NADEPN NI and NAVAIR management.

Conclusion

143. The allegation is substantiated.

Listing of Actual/Apparent Violations

144. Quality Program Manual Chapters 4 and 5, concerning requirements to certify work and perform a special process.

145. The investigators believe Witness No. 20's decision to continue assigning Witness No. 21 work he was no longer certified to perform, and Witness No. 21's decision to do that work knowing he was no longer certified, are serious matters that merit the following findings and observations:

a. First, it is clear that the keystone of the Quality Assurance Program is the integrity of the certified artisan and his or her immediate supervisor. When an artisan stamps a record, he/she is indicating that the work was done correctly, and that he/she possesses the proper certification. Moreover, the first level supervisor must track an artisan's IQRMTL, schedule training in a timely fashion, and ensure that only certified artisans are performing the work.

b. Second, the fact that Witness No. 21 was able to continue to solder nearly five months after his certification expired is evidence of a breakdown in the QA process and the attitude of NADEP NI personnel who work with it. The Quality Program Manual requires revocation of Certifier authority for violations of Certifier stamp authority.[51] However, Witness No. 21's stamp authority had not been revoked when this investigation was conducted on-site. The evidence establishes willful disregard of the QA process on the part of Witness No. 20 and Witness No. 21.

c. Third, the process for updating electronic certification and qualification records is not performing adequately. In two cases identified by the investigators, a time lapse of several weeks existed between the employee's training completion date and the time it appeared on the employee's IQRMTL and the electronic IQR system. In general, the investigators believe there may be a significant time lapse between the date when an artisan completes re-certification training and the date when the tracking system reflects that information. Because of this delay,

[51] NAVAIRDEPOTINST 4855.43B CH-2, Chapter 4.

an auditor, inspector, or investigator has no reasonable way to determine the status of an artisan's certification during this period of time, or how many artisans have expired certifications on any specific date. Nor can NADEP NI personnel rely on what is supposed to be the primary record for determining who is qualified and certified to perform specific job tasks. Until this system is updated on a near real-time basis, it will be impossible to accurately determine the extent of the recertification problem.

d. Fourth, the transition from paper IQRs to the electronic IQR system complicates the problem of keeping certification document current. Several work centers stated that it took QA approximately 6-8 months to compare the data in the electronic IQR system to the paper records, and allow the transition to the electronic system. Further complicating this issue is the Navy-wide transition to the Navy/Marine Corps Intranet (NMCI), as the electronic IQR system is at present not NMCI compatible.

e. Fifth, there was evidence of a breakdown in the QA process and the attitude of NADEP NI personnel who work with it because five employees on the work center 93502 first shift were permitted to continue working even though their Quality Assurance records indicated that their certifications had expired.[52] Although these employees had, in fact, been recertified, permitting them to work before their records were updated introduces an element of uncertainty and cynicism into the QA process that undermines confidence in it.

f. Sixth, the process to revoke an individual's stamp when he is no longer certified is not adequately enforced. In general, there is no effective process for ensuring that an artisan does not perform a special process after that special process certification expires. NADEP NI must enforce the requirements of Chapters 4 and 5 of the Quality Program Manual.

Actions Planned or Taken

146. Upon being informed of this matter by the investigators, management immediately suspended Witness No. 21's performance of soldering until he was re-certified. He has now been recertified. Management has also ensured that each of the other five artisans were recertified and has adjusted the records of all six to indicate that they have been recertified.

147. NADEP NI has hired five training instructors to provide additional training classes in order to reduce the number of expired certifications. Two additional people have also been assigned to help schedule training and record the certification data. Witness No. 6 believes these actions will help reduce the number of apparent delinquent re-certifications.

148. NADEP NI management provided the following information that it believes is pertinent to the findings related to this allegation and the concerns expressed by the investigators:

a. First, in late January 2004, NADEP NI recalled a Reserve LCDR to active duty for a period of six months to examine the training and re-certification issue and recommend and/or develop a process to resolve the problem. He compiled a list of all artisans' certifications and licenses and determined, by shop, the percentage of trained personnel versus shop requirements. This training and certification status is now a metric reported in a quarterly

[52] Expired Special Process Certifications pp. 4 and 5

briefing by each Program Manager to the Commanding Officer and the Executive Steering Council. The Program Managers brief their artisans' certification status, identify deficiencies (if any), and address actions being taken to mitigate training or certification shortfalls.

b. Second, the QA, Engineering, and Production departments plan to develop a new Electronic IQR and Training database. This database will automate certification tracking and training scheduling, while providing near real-time status to supervisors. With the new system, instructors will be able to electronically update IQRs when a course is complete, thereby allowing the artisans to apply their new certifications or licenses the very next day.

c. Third, the Reserve LCDR has been tasked with implementing a cost-wise improvement to the training facilities and this effort has already begun. The overall program goal is to standardize training, making it easy to schedule, easy to execute and easy to document with appropriate metrics to track performance.

d. As a result of this tasking to the Reserve LCDR, all artisans listed on the 1 March 2004 Expired Special Process Certifications Report who needed to be recertified were identified, trained, and certified by 1 April 2004. A provisional training department has been set up and moved under the competency program. The facilities being utilized for training have been determined to be safe and materials to conduct quality training are in place. NADEP NI notes that artisans are constantly moving on and off the Report as their expiration dates approach and training is accomplished. Employees on extended leave, health restrictions, temporary promotions or details to other jobs or active duty recall are typical examples of why the Expired Special Certification Report will always contain the names of some artisans. Note, NADEP NI's Quality Manual prohibits employees with expired Special Process Certifications from performing work requiring certification. Both artisan and supervisor are responsible for ensuring artisan is fully certified to perform the work assigned.

e. Looking forward, the Reserve LCDR is researching and evaluating automated training and scheduling packages, including those that other NAVAIR depots are working with, for implementation at NADEP NI. Once identified, the training department will work with QA, Engineering, and Production to determine for each individual at the shop level, the required skills, certifications, and licenses that are needed to complete their tasks. NADEP NI projects completing this step by the end of calendar year 2004. Once requirements are defined and validated, job task descriptions will be modified to reflect these changes. When complete, QA, Engineering, and Production will develop a transition plan to best implement the new EIQR and Training package.

f. The transition plan will include a detailed implementation path that minimizes impact to production while also populating the new system in the shortest amount of time. While this database is being created, all required training, certification, or licenses that are missing, not documented, or newly identified, will be scheduled through the EIQR program. With the new EIQR system, instructors will be able to update the artisans IQRs when a course is complete, thereby allowing the artisan to work in his shop with the new certification or license the very next day.

Personnel Actions Taken

149. Administrative or disciplinary action for Witness No. 20 and Witness No. 21 is pending and will be reported in the supplemental report that addresses the USS KITTY HAWK (CV-63).

Observations and Recommendations

150. Although none of the investigators participated in the First Investigation, they read the report during the course of this investigation. They believe NADEP NI has made vast improvements since the First Investigation. All of the deficiencies relating to welding performed by the VRT were corrected prior to this investigation. Despite their concerns noted in connection with Allegation 12, they note that they only found one person who, at the time of their on-site investigation, was performing work for which he was not certified.

151. The investigators did not find information provided by Complainant to be very helpful. Complainant's testimony concerning the specific events that underlie her concerns was generally out of date and not sufficiently specific to enable the investigators to pursuer her concerns. In some instances, her testimony was inconsistent and contradictory.

152. Nonetheless, all personnel the investigators interviewed seemed to be aware of Complainant's allegations, at least in general terms. Occasionally, they were able to provide additional information to the investigators that allowed them to pursue Complainant's allegations. The majority of management personnel implied or expressly stated they knew of Complainant's allegations, and often addressed the specifics of allegations without being asked by investigators.

153. The investigators pursued all leads when information specific enough to investigate was provided by witnesses or revealed in documents the investigators reviewed. When Complainant was unable to provide specific information to support her allegations, witnesses sometimes were able to provide amplifying information.

154. During this process, the investigators learned that supervisors and management personnel knew what work required special process certifications or other qualifications. However, the artisans themselves generally professed a lack of knowledge of the qualifications/certifications they held or the qualifications/certifications they are required to possess for the work they perform. This is a matter of concern because an artisan's knowledge of the work he is or is not qualified or certified to perform is an important safeguard to ensure work is performed properly.

155. There are four different PDs for Pipefitters of the same grade in NADEP NI. This causes difficulty determining qualification requirements because each lists different job requirements. Recommend that all Pipefitters have identical position descriptions where practicable.[53]

[53] In response, NADEP NI reviewed Pipefitter PDs and decided discrete PDs are required due to unique VRT requirements such as travel and security clearances. These requirements are not resident in Maintenance PDs.

156. Also, several other Position Descriptions reviewed have not been updated in more than twenty years, with no indication that they have been reviewed in the interim. Recommend NADEP NI perform a review of all Position Descriptions and update or rewrite as necessary.[54]

157. Recommend NADEP NI hire a Level III NDI Examiner for in-house support of the VRT. This will eliminate the inadequate support received from the NADEP NI Level III Examiners, or the need for Puget Sound Naval Shipyard support from 1600 miles away.[55]

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[54] In response, NADEP NI is reviewing all production and production support PDs starting in the Industrial Competency. NADEP NI intended to rewrite all PDs after the National Security Personnel System (NSPS) was implemented in October 2004. Since NSPS implementation has been delayed for at least a year, NADEP NI has started this review and established milestones and target dates through March 2005.

[55] In response, NADEP NI has established an internal Level III NDI examination capability. One NADEP NI employee is now a certified Level III NDI examiner for Magnetic Perturbation Test (MT) and Liquid Penetrate Test (PT). Two others are now Level III NDI certified examiners for Visual Test (VT). Assigned to the materials lab, they provide in-house Level III NDI examiner support for VRT.

Appendix A - Reference Documents

a. NAVSEA ltr AIR-55/2P/JST Ser 17/53 dtd May 18 1983

b. Special and Unique Skills Certification Report

c. NAVAIRDEPORTINST 4855.43B CH-2 Chapters 4, 5, and 7

d. Pipefitter Position Description

e. Stamp, Special and Unique Skills Certification

f. American Welding Society – Certified Welder Program

g. Requirements for Welding and Brazing Procedures and Performance Qualification – S9074-AQ-GIB-010/248

h. Requirements for Non Destructive Testing Methods – NAVSEA – T9074-AS-GIB-010/271

i. NAVSEA T9074-AB-GIB-010/1688

j. Witness No. 10 Position Description and Individual Qualification Records

k. Witness No. 10 Statement

l. Position Descriptions for ALADs, Mechanics, Solders, and Tool Makers

m. Witness No. 9's Package (includes letter of appreciation)

n. Jig and Fixture Position Description

o. Stamp, Unique and Special Skills Certification Report (sorted by shop)

p. NAVAIR 00-80T-104 NATOPS Landing Signal Officer Manual Chapters 3 and 4

q. Witness No. 12 Statement

r. Witness No. 16 Statement

s. Support Equipment License Report

t. Witness No. 2 Statement

u. Navy Crane Center Audit of Management of Weight Handling Equipment at NADEP NI

v. Investigator Memos

w. Investigator Memo

x. NAVSEA ltr 9074 Serial 05M2/075 dtd 2 July 2002

y. NAVSEA PCMS Repair/Installation Methods RIM 05T1-99

z. Carrier and Field Service Report 079-99 dtd 15 Mar 1999

aa. DL 001/307

ab. Expired Special Process Certifications dtd 21-JAN-04

ac. Naval Surface Warfare Center ltr 4855 Ser 623/349 dtd 13 June 2003

ad. Naval Surface Warfare Center ltr 4855 Ser 623/316 dtd 12 May 03

Appendix B - Witness List

1. Witness No. 1, WG 3820 10, Shipfitter
2. Witness No. 2, WG 3401 11, Aircraft Jog and Fixture Builder
3. Witness No. 3, Quality Assurance
4. Witness No. 4, GS 346 14, Logistics Management
5. Witness No.5, GM 1601 13, Aircraft production
6. Witness No. 6, GS 303 6, Employee Development
7. Witness No. 7, GS 1601 13, Maintenance
8. Witness No. 8, WS 4801 12, Aircraft Plant Maintenance
9. Witness No. 9, WG 3703 10, Welder
10. Witness No. 10, GS 1910 11, Quality Assurance
11. Witness No. 11, GS 346 14, Logistics Management
12. Witness No. 12, WS 3401 12, Mechanical Shop
13. Witness No. 13, GS 1601 13, Aircraft Production
14. Witness No. 14, GS 1910 9, Quality Assurance
15. Witness No. 15, GS 1910 12, Quality Assurance
16. Witness No. 16, GS 346 14, Logistics Management
17. Shott, Kristin, WG 3703 10, Welder
18. Witness No. 18, GS 1101 12, Production Management Specialist
19. Witness No. 19, GS 892 11, Materials Engineering Technician
20. Witness No. 20, WS 2610-12, Avionics Branch
21. Witness No. 21, WG 2610-12, Avionics Branch
22. Witness No. 22, WS 2610-12, Avionics Branch
23. Witness No. 23, WG 2610-12, Avionics Branch
24. Witness No. 24, WG 2604-11, Avionics Branch
25. Witness No. 25, Avionics Branch

Appendix C - Internal Reference Documents

Black Book

NAVINSGEN Case Number 20031027/OSC Case Number DI-03-0714 ROI

ROI Crossed Referenced to Source Documents

1. OSC Tasking Letter
2. Navy IG Tasking Letter
3. MEMO for the record
4. Witness No. 3's email
5. OSC In-brief Attendees
6. In-brief Notes
7. Letter of Appointment ICO Lead Investigator
8. Interview Schedule
9. Material from the Law Office of Complainant's Attorney
10. Exit brief Attendees
11. Privacy Act Statement and Sworn Statement
    a. Ms Kirstin Shott
    b. Witness No. 10
    c. Witness No. 2
    d. Witness No. 1
    e. Witness No. 9
    f. Witness No. 6
    g. Witness No. 16
    h. Witness No. 13
    i. Witness No. 4
    j. Witness No. 3
    k. Witness No. 7
    l. Witness No. 5
    m. Witness No. 11
    n. Witness No. 18
    o. Witness No. 8
    p. Witness No. 12
    q. Witness No. 14
    r. Witness No. 15
    s. Witness No. 19
12. Investigators' notes
13. Summary of EEO Administrative Complaint Activity

Book 1

1. NAVSEA ltr AIR-5512P/JST Ser 17/53 dtd May 18, 1983
2. NAVSEA ltr 05M2/KJP Ser 51 dtd May 25, 1983
3. Stamp, Special and Unique Skills Certification Sorted by Name
4. NAVAVNDEPOTINST 4855.43B Quality Program Manual
5. Individual Qualification Records
   a. Witness No. 1
   b.
   c. Witness No. 2
   d.
   e.
   f.
   g.
   h.
   i.
   j.
   k.
   l.
   m.
   n.
   o.
   p. Witness No. 14
   q. Kristen Shott
   r.
   s.
   t.
   u.
   v.
   w.

6. Maintenance Walkthrough

Book 2

1. Position Descriptions
   a. Pipefitter P1730
   b. Pipefitter QA490
   c. Pipefitter AC730
   d. Aircraft Launching and Arresting Device Mechanic AB070
   e. Sheet Metal Mechanic AD580
   f. Electronics Mechanic PP990
   g Sheet Metal Mechanic DF560
   h. Toolmaker CZ530
   i. Welder AE020
   j. Welder EC160

k. Welder CA340
l. Welder CS520
m. Sheet Metal Worker PB830
n. Shipfitter AD760
o. Aircraft Jig and Fixture Builder CS090
p. Rigger CS420
q. Production Controller (Aircraft0 PN080
r. Planner and Estimator (Machinist) DL710
s. Mechanical Shops Supervisor I EJ970
t. Electrician ER250
u. Sandblaster AD550

2. American Welding Society – Certified Welder Program
3. MIL-STD-2035A Nondestructive Testing Acceptance Criteria T9074-AS-GIB-010/271 Requirements for Nondestructive Testing Methods
4. S9074-AQ-GIB-010/248 Requirements for Welding and Brazing Procedures and Performance Qualification
5. MIL-STD-1689A Fabrication, Welding, and Inspection of Ship Structure
6. Witness No. 10
   a. Position Description Quality Assurance Specialist PW690
   b. Quality Assurance Training Guide
   c. Required Reading
   d. Individual Qualification Record Master Task List (IQRMTL) (MTL contains entire list of qualifications)
   e. NAVOSH Training Attendance Sheet
   f. Individual Qualification Record (IQR)
   g. VRT Program QAS Trainee Work Sheet
   h. IQR (QA)
7. Witness No. 9
   a. Certificate of Appreciation
   b. Certification Stamp Action Request
   c. IQR (When shown like this indicates a single qualification record)
   d. Certification Stamp Action Request
   e. IQR Master Task List Code 54300
   f. Welding Examination Record
   g. Dispensary Permit
   h. Performance Appraisal
8. NAVAIR 00-80T-104 NATOPS Landing Signal Officer Manual Overhaul Procedures For the Fresnel Lens Optical Landing System Cell

Book 3

1. Support Equipment License Report – Sorted by Shop
2. Navy Crane Center Audit of Management of Weight Handling Equipment at NADEP NI
3. Investigator Memos
4. Investigator Memo

5. NAVSEA ltr 9074 Ser 05M2/075 dtd 2 July 2002
6. Passive Countermeasures System Repair/Installation Methods
7. Fleet Technical Service Division Report Symbol NAVAIR 5400-1 Report No. 079-99 dtd 15 March 999
   Fleet Technical Service Division Report Symbol NAVAIR 5400-1 Report No. 00-053-4 dtd 6 October 2000
   DON PEO Aircraft Carriers 9587 PMS312 Ser 02-451 dtd 10 Sep 02
   DON PEO Aircraft Carriers 9587 PMS312 Ser 02-408 dtd 21 Jun 02
   DON PEO Aircraft Carriers 9587 PMS312 Ser 02-427 dtd 21 Jun 02
8. Deficiency Log (DL)
9. Expired Special Process Certifications
10. NAVSHIPYD Puget Request for Deviation/Wavier
11. Voyage Repair Team (VRT) Weld Report
12. VRT Workers Qualified In PSNS Courses
13. Work Orders
14. MOA Between PSNS and VRT NADEP NI
15. MIL-STD-410E Nondestructive Testing Personnel Qualification and Certification
16. Naval Surface Warfare Center ltr 4855 Ser 623/349 dtd 13 June 2003
17. Naval Surface Warfare Center ltr 4855 Ser 623/316 dtd 12 May 03
18. Refresher Training Due (60 Days)
19. Naval Air Depot North Island CAO Management Structure
20. Key List – 8 January 2004
21. USS CURTS FFG-38 Helo Hangar Doors
22. USS DAVID R. RAY DD-971 Helo Hangar Doors
23. USS PAUL F. FOSTER DD-964 Helo Hangar Doors
24. USS KINKAID DD-965 Helo Hangar Doors
25. USS HEWITT DD-966 Helo Hangar Doors
26. USS ELLIOT DD-967 Helo Hangar Doors
27. NAME/ORGCODE PD NBR POSITION TITLE PP/TYP SERI GD
28. ORGCODE PD NBR POSITION TITLE PP/TYP

Book 4

1. NAVAVNDEPOT NOTICE 5215
2. NADEP NI Instructions Table
3. NAVAIRDEPOTINST 12410.4A Forklift Operator Licensing and Training
4. NAVANDEPOTINST 12410.27A Support Equipment (SE) Operator Licensing
5. NAVAVNDEPOTINST 12410.25B CH-1 Training and Qualification Requirements for Certification of Nondestructive Inspection (NDI) Personnel
6. NAVAIRDEPOTINST 12410/25B CH-2 Training and Qualification Requirements for Certification of Nondestructive Inspection Personnel
7. NAVAVNDEPOTINST 13500.1 Aviation Life Support Systems Qualification
8. NAVSEA 0900-LP-001-700 Fabrication and Inspection of Brazed Piping Systems
9. Welding and NDT Record Forms
10. S9086-CH-STM-010/CH-07R4 Welding and Allied Processes

11. S9074-AR-GIB-010/278 Requirements for Fabrication Welding and Inspection, and Casting Inspection and Repair for Machinery, Piping, and Pressure Vessels
12. MIL-STD-22D Welded Joint Design

Book 5

1. Stamp, Unique & Special Skills Certification (Sorted by Shop)
2. Non-Expired Certification Stamps Charts
3. Documents from Ms Shott's Attorney

DEPARTMENT OF THE NAVY
NAVAL INSPECTOR GENERAL
1014 N STREET SE SUITE 100
WASHINGTON NAVY YARD DC 20374-5006

IN REPLY REFER TO:
5800
Ser OOK/0059
18 JAN 2005

Scott J. Bloch, Special Counsel
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, DC 20036-4505

Dear Mr. Bloch:

In his letter of August 24, 2004, Secretary of the Navy England told you that one allegation raised in OSC File No. DI-03-0714 remained outstanding. I am writing on Secretary England's behalf to provide you this supplemental letter report addressing that matter.

OSC File No. DI-03-0714 concerns Naval Air Depot, North Island (NADEP NI), San Diego, California. The outstanding allegation, number 11, states that there are welding deficiencies in the P-1 piping systems aboard USS KITTY HAWK (CV-63). The deficiencies are alleged to be similar to those identified on five other aircraft carriers that the NADEP NI Voyage Repair Team worked on, as reported to your office in an earlier investigation (OSC File No. DI-00-0139).

The piping systems in question have now been inspected. Weld deficiencies that are similar to those found on the other carriers were observed in the systems that support Catapults 1-4. Repairs were completed during the week of November 22, 2004. NADEP NI has determined that the welds needing repair were the responsibility of the same people who performed and supervised the work on the other carriers. NADEP NI has decided, therefore, that no additional disciplinary action is warranted for the deficiencies found on the KITTY HAWK.

In his letter to you, Secretary England also reported that NADEP North Island was considering disciplinary action against two people who were responsible for performing work without the proper certifications, as described in the discussion of allegation number 12. I am now able to report the action NADEP NI has taken concerning that matter.

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OOK

NADEP NI proposed a three-day suspension for the individual who continued performing work after his certification had expired. After carefully considering the worker's reply, NADEP NI determined to impose the three-day suspension and it has been served.

NADEP NI proposed demoting the supervisor to a lower grade. In response, the supervisor acknowledged his error and accepted responsibility for his actions. His written reply expressed regret and he showed remorse during his oral presentation. He specifically referred to his lack of good judgment and the embarrassment his conduct had caused NADEP NI, but asked that he be permitted an opportunity to redeem himself and remain a member of the NADEP NI management team.

The NADEP NI Deciding Official believes the supervisor is sincere in his desire to prove his value to NADEP NI and the Navy. Therefore, he has issued an interim decision holding the proposed demotion in abeyance until June 2005. At that time, if the supervisor's conduct appears to warrant it, his proposed demotion will be mitigated to a suspension of from five to 14 days in length.

Once again, thank you for bringing this matter to the Navy's attention. If I may be of any further assistance, please let me know at your earliest convenience.

Sincerely,

R. A. ROUTE

Copy to
Secretary of the Navy
General Counsel of the Navy