

AmerGen

An Exelon/British Energy Company

Clinton Power Station

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July 26, 2001

Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

Clinton Power Station, Unit 1
Facility Operating License No. NPF-62
NRC Docket No. 50-461

Subject: Response To An Apparent Violation In Inspection Report 50-461/01-09

This letter provides the AmerGen Energy Company, LLC, (i.e., AmerGen) response to the Apparent Violation resulting from NRC Supplemental Inspection Report 50-461/01-09 (DRS), transmitted by letter dated June 29, 2001. The apparent violation pertains to inadequate corrective actions for self-identified deficiencies in offsite notification drills. AmerGen does not contest the apparent violation. The response to the apparent violation is due July 30, 2001, and is contained in the attachment to this letter.

Respectfully,


J. M. Hefley
Site Vice President
Clinton Power Station

RSF/alo/blf

Attachments:

Affidavit
Response to an Apparent Violation

cc: Regional Administrator – NRC Region III
NRC Senior Resident Inspector – Clinton Power Station
Director, Office of Enforcement, USNRC

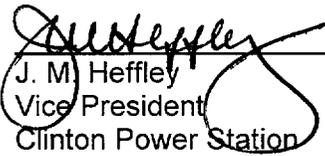
IE01

STATE OF ILLINOIS)
COUNTY OF DEWITT)
IN THE MATTER OF:)
AMERGEN ENERGY COMPANY, LLC) Docket Number
CLINTON POWER STATION - UNIT 1) 50-461

SUBJECT: Response To An Apparent Violation In Inspection Report 50-461/01-09

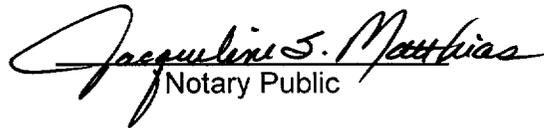
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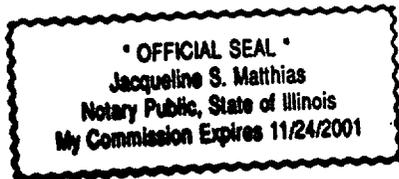
I affirm that the content of this transmittal is true and correct to the best of my knowledge, information, and belief.

 7/26/01
J. M. Heffley
Vice President
Clinton Power Station

Subscribed and sworn to before me, a Notary Public in and
for the State above named, this 26th day of

July, 2001


Notary Public



Attachment
Response to an Apparent Violation
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This letter provides the response of AmerGen Energy Company, LLC (i.e., AmerGen) to the Apparent Violation resulting from Clinton Power Station NRC Supplemental Inspection Report 50-461/01-09 (DRS) and transmitted by letter dated June 29, 2001. The apparent violation involves the failure to adequately correct deficiencies identified through Emergency Planning training of control room communicators utilizing a Job Performance Measure (JPM).

As described in Inspection Report 50-461/01-09 (DRS), the AmerGen Training staff identified a number of performance deficiencies during the Emergency Planning training conducted in November and December of 1999 and in August of 2000 to demonstrate the ability of non-licensed operators (NLOs) to perform offsite notifications for the Emergency Response Organization (ERO) control room communicator function. Following the training, the instructors provided the individuals with a discussion of the deficiencies, but this action was not adequate to prevent additional, similar deficiencies. In particular, deficiencies similar to those identified in November and December of 1999 recurred during 2000. In addition, three individuals failed the demonstrations in both 1999 and 2000, which also indicated that individual failures were not effectively corrected. Consequently, the NRC concluded that AmerGen failed to adequately implement Emergency Planning Standard 10CFR50.47, "Emergency plans," paragraph (b)(14), which states, in part, that periodic drills will be conducted to develop and maintain key skills and that deficiencies identified as a result of drills will be corrected.

Reason for the Apparent Violation

On February 14, 2001, the Exelon Emergency Preparedness Strategists performed a Focus Area Assessment of the Emergency Preparedness Cornerstone Indicators. The assessment identified that the results of the NLO JPM (i.e., control room communicator drills) used for qualification of ERO Main Control Room Communicators had not been included in the Drill and Exercise Performance (DEP) Indicator as required by NEI-99-02, "Regulatory Assessment Performance Indicator Guideline". In response to this finding, the exam scores from the control room communicator JPM were immediately reviewed and added into the calculations of the DEP indicator. When the calculations were revised, the DEP indicator color changed from GREEN to WHITE for the fourth quarter of 1999 and all quarters of 2000. Condition Report (CR) 2-01-02-159 was initiated to investigate the failure to include the control room communicator JPM in the DEP indicator. The NRC reviewed this issue in Inspection Report 50-461/01-09 (DRS) as a violation of 10CFR50.9 and exercised discretion to not cite the violation pursuant to Section VII.B.6 of the NRC Enforcement Policy.

During the investigation of CR 2-01-02-159, the question was raised as to why the failures under the JPM program were not corrected. As a result, on March 21, 2001, CR 2-01-03-174 was initiated to investigate the high failure rate of the control room communicator JPM. The condition report apparent cause investigation determined that the instructors had provided feedback to the students on their failures related to offsite notifications. Under the Operations Training Program, the criteria for training failure investigations was based on exam failure rates and not a single JPM failure. In this case, the control room communicator JPM was one of a group of 5 JPMs for annually evaluating NLOs. An NLO could fail any one of the 5 JPMs in the group and still achieve a passing grade of 80%. Additionally, since less than 50% of the students failed the control room communicator JPM, the existing procedural guidance did not require an exam analysis. Further, the control room communicator JPM was not being tracked under the Emergency Planning Drill and Exercise Program, and, as a result the poor performance was not recognized or tracked for correction by the emergency planning staff. Therefore, effective corrective actions were not taken until after the control room communicator JPM was identified as having a high failure rate. In summary, no mechanism was in place to

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identify the failure rate of the single JPM. Since the overall failure rate was less than 80%, a failure of the communicator JPM did not result in the student failing the overall exam. Further, the frequency and depth of training on Emergency Planning Notifications was not sufficient to ensure the NLOs could consistently perform the ERO notifications.

Evaluation of Significance of Violation

In evaluating the significance of the apparent violation, the control room communicator JPM is now recognized as being part of the Emergency Preparedness DEP indicator, and as such is subject to compliance with 10CFR50.47(b)14. AmerGen has reviewed the significance of this issue and concurs with the NRC's preliminary significance determination as reported in NRC Inspection Report 50-461/01-09 which states that this matter has low-to-moderate safety significance.

Corrective Steps that Have Been Taken and the Results Achieved

The control room communicator JPM has been revised to include specific pass/fail criteria. Further, any failure of this JPM requires remediation and re-evaluation of the individual, initiation of a condition report, and removal of the individual from the list of qualified ERO communicators until remediated.

The revised JPM was administered to all NLOs in March of 2001. Three individuals failed the revised control room communicator JPM and were immediately removed from the list of active ERO communicators. A condition report was issued for each failure as required by the revised control room communicator JPM. As a result of these failures, additional training was administered to the NLOs and the control room communicator JPM was given again to all NLOs. The second time the control room communicator JPM was administered, a 100% success rate was achieved.

ERO Communicator Notifications Training has been added to the initial NLO training program.

Corrective Steps that Will Be Taken to Avoid Further Violations

To prevent future performance problems, the control room communicator JPM is being closely monitored. This JPM is now being tracked by Emergency Planning and monitored for performance. If an individual fails the control room communicator JPM, Operations' Training generates a Condition Report and notifies Emergency Planning. The individual NLO is removed from the list of qualified ERO Communicators until remediated. Timely remediation ensures performance problems are corrected.

NLOs will be provided ERO Communicator training in the fall of 2001 to ensure performance is maintained and to measure the effectiveness of previous training. (ATI 57169-01)

A review was conducted to determine if other JPMs have an impact on DEP data. No other JPMs were identified that need to be tracked against the DEP.

The Date When Full Compliance Will Be Achieved

AmerGen is presently in full compliance with the provisions of 10CFR50.47 (b) 14 that require correction of deficiencies as a result of Emergency Planning exercises or drills.