

February 28, 2002

EA-01-294

Mr. Fred Dacimo
Vice President - Operations
Entergy Nuclear Operations, Inc.
Indian Point Nuclear Generating Units 1 & 2
295 Broadway, Suite 1
Post Office Box 249
Buchanan, NY 10511-0249

SUBJECT: FINAL SIGNIFICANCE DETERMINATION FOR A YELLOW FINDING AT THE
INDIAN POINT 2 NUCLEAR POWER STATION
(NRC Inspection Report 50-247/01-013)

Dear Mr. Dacimo:

The purpose of this letter is to provide Entergy Nuclear Operations, Inc. (Entergy) with our final significance determination for a finding identified during an NRC inspection conducted at Indian Point 2 between October 22 - 26, 2001, and documented in NRC Inspection Report 50-247/01-013 dated December 5, 2001. The inspection finding was assessed using the Operator Requalification Human Performance Significance Determination Process (OR SDP) and was preliminarily characterized as Yellow, i.e., an issue with substantial importance to safety that will result in additional NRC inspection and potentially other NRC action. The finding involved the failure of four of seven (57%) crews during your facility-administered annual licensed operator requalification examinations. A failure by more than 50% of the crews examined constitutes a Yellow finding under the OR SDP.

The letter that transmitted the inspection report provided you an opportunity to either request a regulatory conference to discuss this finding, or explain your position in a written response. Although you declined the opportunity for a regulatory conference, you did respond in a letter dated January 18, 2002.

In your response, you indicated that you did not agree with the preliminary Yellow finding, contending that the OR SDP did not accurately assess the actual risk significance associated with the performance of your crews in this case. You stated that the actual risk significance was lower because you held your crews to a higher standard than NRC guidance set forth in ES-604 of NUREG-1021, "Operator Licensing Examination Standards for Power Reactors," Revision 8. You noted that this guidance allows grading a crew's performance after completing a set of examination scenarios, and does not require grading a crew's performance after each examination scenario. You stated that your program assesses crews more stringently, by grading a crew after each individual examination scenario. Therefore, you contended that if you had used the guidance in NUREG-1021, shortcomings in one examination scenario may have been offset by averaging that observation with stronger performance in other examination

scenarios in the set. You also stated that a subsequent independent assessment of the annual licensed operator requalification examinations concluded that one, and possibly two of the crews that failed would have passed using the guidance in NUREG-1021, and that the finding would have been White or Green instead of Yellow.

The OR SDP process does provide a mechanism to distinguish between significant examination failures based upon critical tasks and those based upon poor performance on non-critical (administrative) tasks. If a licensee chooses to fail crews based on poor performance related to administrative tasks, those failures would not count as failures under the OR SDP provided the licensee specifically records such failures as administrative for remediation purposes. You did not do this. Furthermore, on examining the specific issues that led to the failures at Indian Point 2, the NRC does not view the weaknesses exhibited to be minor in nature. For example, one crew failed an examination scenario covering the loss of an instrument bus. Although it did not involve a failure to perform critical tasks, significant crew competency issues associated with diagnosing events, adhering to procedures, and understanding plant responses, were evident. In particular, the crew did not promptly respond to the event, exhibited difficulty progressing through the appropriate emergency procedure, and initially aligned the wrong boration flowpath.

The NRC does not routinely administer requalification examinations. Rather, licensees conduct such examinations in accordance with their NRC-approved requalification training program that the NRC periodically inspects. The OR SDP relies upon the licensee's requalification program results and upon executing programs consistent with your approved training program. In this case, your approved program required evaluations of crews after each individual examination scenario. We have reviewed your contention that some crews would not have failed if NUREG-1021 guidance, which permits integrated evaluation of crew performance over multiple scenarios, had been used. We also carefully considered information you provided in support of this contention, including details on specific examination scenarios and competency worksheets used in grading crews and operators being examined. This information was insufficient to demonstrate that an integrated evaluation would have made a difference in the outcome. As discussed above, crew competency issues revealed in your examinations were not insignificant. In summary, we rely on your initial assessment of your crews' performance.

Based on the above, the NRC considers it appropriate to apply the OR SDP as initially proposed in our inspection report dated December 5, 2001, with four of seven crews failing the requalification examinations. We conclude that the inspection finding is appropriately characterized as Yellow in accordance with the existing OR SDP guidance. You have 10 business days from the date of this letter to appeal the staff's determination of significance for the identified Yellow finding. Such appeals will be considered to have merit only if they meet the criteria given in NRC Inspection Manual Chapter (IMC) 0609, Attachment 2.

Although the finding has been characterized as Yellow, no violations of regulatory requirements were identified because the operators were removed from shift following the failures and were remediated as required. Nonetheless, given that operational deficiencies noted during the examinations have contributed to actual plant events during the past two years, the NRC subsequently provided enhanced oversight of control room activities, including observation and

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assessment of key training and examination activities as noted in NRC Inspection Report 50-247/01-011, dated February 12, 2002. We recognize that you are attempting to raise standards of performance at Indian Point 2, with initial strong emphasis in the operations and training areas. We have observed such efforts in our inspections and operational evaluations.

The NRC acknowledges that you have taken and plan to take, corrective actions to address this finding. These actions include, but are not limited to: (1) performance of a root cause investigation; (2) removal of certain operators and crews from shift duties until remedial training and subsequent evaluations were completed; (3) initiation of a four-week intensive training and evaluation program for all operators; (4) use of crew mentors from outside organizations to continuously monitor control room activities; (5) formation of a Training Management Team to assure more effective training; and (6) continuing organizational enhancements to support training excellence.

In a December 13, 2001, letter to the NRC, you also committed to have the NRC evaluate operators who had been remediated following the requalification examination failures, prior to returning them to shift duties. In your January 18, 2002, letter, you indicated a desire to rescind that commitment. We have tentatively scheduled a supplemental inspection for early April 2002, that will include an evaluation of the remediation aspects of your requalification program (a root cause of the Yellow finding). Therefore, we request that you adhere to this commitment until we have completed our supplemental inspection of this issue.

Per the Action Matrix associated with the NRC's Assessment Process (IMC 0305), Indian Point 2 is currently in the Multiple/Degraded Cornerstone Column. We will use the NRC Action Matrix to determine the most appropriate NRC response. We are currently performing an assessment of your overall performance in accordance with the Reactor Oversight Process. This assessment, which will be sent to you by March 4, 2002, will include any adjustments to the current NRC inspection oversight plan.

No response to this letter is required because there is enough information available on the docket, including your letters dated November 5, 2001, December 13, 2001, and January 18, 2002. In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Reading Room).

Sincerely,

/RA/

Hubert J. Miller
Regional Administrator

Docket No: 50-247
License No: DPR-26

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* Concurrence per D. Nelson, OE. Also received concurrence from NRR.