

SSINS No.: 6835
IN 85-97

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INSPECTION AND ENFORCEMENT
WASHINGTON, D.C. 20555

Attachment 1
IN 86-54
June 27, 1986
Page 1 of 2

December 26, 1985

IE INFORMATION NOTICE NO. 85-97: JAIL TERM FOR FORMER CONTRACTOR EMPLOYEE WHO
INTENTIONALLY FALSIFIED WELDING INSPECTION
RECORDS

Addressees:

All nuclear power reactor facilities holding an operating license (OL) or a construction permit (CP).

Purpose:

This information notice is to inform licensees, contractors and their employees of the criminal prosecution by the U.S. Department of Justice of a contractor QC inspector employed at the Seabrook Nuclear Power Station, and a resultant jail sentence. The individual intentionally falsified records of liquid penetrant and magnetic particle testing of welding joints in piping, pipe braces and structural steel. The NRC suggests that recipients review and provide widespread dissemination of this notice to employees and contractors' employees involved in safety-related activities, especially those employees involved in making and keeping records. The NRC further suggests that recipients remind their own and contractor employees that not only are licensees subject to civil enforcement action for violations of NRC requirements, but individuals who intentionally violate these requirements are also subject to criminal prosecution. The suggestions for dissemination of this notice do not constitute NRC requirements; therefore, no specific action or written response is required.

Description of Circumstances:

In March 1983, management of Pullman Higgins (P-H), principal contractor for construction of the Seabrook Nuclear Power Station, identified deficiencies in a QC inspection report of liquid penetrant and magnetic particle testing. Rather than assuming the deficiency to be an isolated occurrence, P-H investigated other reports prepared by the individual and found similar deficiencies. As a result, the individual's employment was terminated in April 1983.


Subsequently, during an investigation conducted by the NRC's Office of Investigation (OI), the individual, after initial denial, admitted falsifying the inspection reports in that he documented work as being complete and acceptable when, in fact, he had not performed the inspection of the work. Further, the individual also admitted that he had lied on his job application and resume regarding his formal education and previous NDE certification. The case was

referred to the Department of Justice and on September 30, 1985, the U.S. Attorney in New Hampshire announced that the individual was sentenced to six months imprisonment and three years probation following his guilty plea to two counts of an indictment charging, under 18 U.S.C. §1001, that he filed false statements on documents required by the NRC to be maintained.

Discussion:

Licensees have the responsibility to ensure the safe construction and operation of nuclear power generating facilities to ensure quality in all licensed activities. In so doing, licensees must not only use trained individuals, maintain accurate records, and provide adequate procedures, but must also exercise supervision over their employees and their contractor employees to assure adherence to procedures and NRC requirements. While violations of NRC requirements caused by inattention to detail or human error are unacceptable to the NRC and may result in civil enforcement action, they do not subject individuals to criminal prosecution. However, violations caused by intentional acts may subject corporations, the individual wrongdoer, and others who knew and condoned his acts to criminal prosecution. As evidenced by this reported case, the criminal sanctions available may include a jail sentence.

No specific action or written response is required by this information notice. If you have any questions about this matter, please contact the Regional Administrator of the appropriate regional office or this office.


Edward C. Jordan, Director
Division of Emergency Preparedness
and Engineering Response
Office of Inspection and Enforcement

Technical Contact: Steve Burns, ELD
492-7268

Attachment: List of Recently Issued Information Notices

Attachment 1
IN 86-54
June 27, 1986
Page 2 of 2

LIST OF RECENTLY ISSUED
IE INFORMATION NOTICES

Information Notice No.	Subject	Date of Issue	Issued to
86-53	Improper Use Of Heat Shrinkable Tubing	6/26/86	All power reactor facilities holding an OL or CP
86-52	Conductor Insulation Degradation On Foxboro Model E Controllers	6/26/86	All power reactor facilities holding an OL or CP
86-51	Excessive Pneumatic Leakage In The Automatic Depressurization System	6/18/86	All BWR facilities holding an OL or CP
86-50	Inadequate Testing To Detect Failures Of Safety-Related Pneumatic Components Or Systems	6/18/86	All power reactor facilities holding an OL or CP
86-49	Age/Environment Induced Electrical Cable Failures	6/16/86	All power reactor facilities holding an OL or CP
86-48	Inadequate Testing Of Boron Solution Concentration In The Standby Liquid Control System	6/13/86	All BWR facilities holding an OL or CP
86-47	Feedwater Transient With Partial Failure Of The Reactor Scram System	6/9/86	All BWRs and PWRs facilities holding an OL or CP
86-46	Improper Cleaning And Decontamination Of Respiratory Protection Equipment	6/12/86	All power reactor facilities holding an OL or CP and fuel fabrication facilities
86-45	Potential Falsification Of Test Reports On Flanges Manufactured By Golden Gate Forge And Flange, Inc.	6/10/86	All power reactor facilities holding an OL or CP and research and test facilities

OL = Operating License
CP = Construction Permit