

ALLEGATION ACTION PLAN

AMS NO. RIII-2004-A-0048

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Licensee: Point Beach  
Docket/License No: 050-00266/301  
Assigned Division/Branch: DRS/Plant Support Branch  
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Allegation Review Board Membership:

Grobe/ Paul/ Berson/ Heller/ Lambert/ Kunowski  
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GENERIC CONCERNS: If Yes Explain: \_\_\_\_\_

DISCUSSION OF SAFETY SIGNIFICANCE: No immediate threat to public health safety

OI ACCEPTANCE: YES NO (Priority: HIGH NORMAL LOW )

Basis for OI Priority: N/A

OI has Accepted Concern(s) No(s). \_\_\_\_\_ Signature \_\_\_\_\_

ARB MINUTES PROVIDED TO: Caldwell/Berson/Louden / PAUL PAUL 5/19/04

ACKNOWLEDGMENT LETTER: PRINT IN FINAL \_\_\_\_\_ REVISE \_\_\_\_\_ N/A X

REFERRAL LETTER: A. Licensee YES \_\_\_\_\_ NO X  
B. State of YES \_\_\_\_\_ NO X  
C. DOE YES \_\_\_\_\_ NO X

date received	April 13, 2004	due date of 1 <sup>st</sup> ARB	May 13, 2004
due date of ACK Ltr	May 13, 2004	date -90 days old	July 12, 2004
date -120 days old	August 11, 2004	date -150 day old	September 10, 2004
date -180 days old	October 10, 2004	date -365 days old	April 13, 2005
projected date for the 5 yr statue of limitation			April 12, 2009

COMMENTS:

*ARB held on 6/10/04. BWA*

Anonymous

*John A. Gubi*  
Allegation Review Board Chairman

5-18-04  
Date

*6-69*

*(7)*

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Each stated concern or NRC identified issue should be documented on a separate sheet. Each concern must be documented and written with enough detail to allow thorough follow up.

Concern No. 1: An individual is concerned that the licensee's over-emphasis on backlog reduction and arbitrary "Excellence Plan" items significantly reduces the plant staff's ability to identify, evaluate, and resolve issues.

Regulatory Basis: Appendix B of 10 CFR Part 50

I. Action Evaluation: The following method of resolution is recommended (circle):

- A. Send to Licensee Requesting Response in \_\_\_\_ Days. (Describe the general areas we expect the licensee to address.)
- B. Priority RIII Follow up and Closure Memo to OAC
- C. Follow up During Routine Inspection Within \_\_\_\_ Days and Closure Memo to OAC
- D. Refer to OI. Recommended Priority: HIGH NORMAL LOW  
Recommended Basis:
- E. Outside NRC's Jurisdiction. Describe Basis Below.
- F. Too General for Follow-up. Describe Basis Below.
- G. Other (specify) -

Responsible for Action - \_\_\_\_\_

II. Special Considerations/Instructions:

An attribute of the inspection plan for the 95003 supplemental inspection (IR 05-266/301/2003-07) included interviews with plant staff and managers; the interviewees indicated that they were willing to raise safety concerns. Another attribute included an assessment of the thoroughness of selected evaluations. In addition the effectiveness of the corrective action program is also reviewed as part of the resident inspectors' routine inspection efforts. In general, the corrective action program was found to be adequate. Lastly, the inspectors identified that worker are being held accountable for the time it takes to complete corrective action evaluations which basically meant that extensions are no longer routinely granted. The inspection team did not find examples where the failure to grant an extension resulted in an inadequate evaluation

Our inspection/interviews did not substantiate that (1) workers are chilled or are not willing to raise issue and (2) workers do not perform thorough evaluations of corrective actions because of a negative perception associated with asking for a due date extension. Although not a specific attribute of the inspection plan, the inspectors found no indication that workers do not admit or report personal errors

The ARB determined that without specific examples, the concern is too general for the NRC to inspect and it is too general to refer the concern to the licensee and request an independent investigation. Since the concern is too general and based on our inspections to date the ARB determined that this concern should be closed

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Each stated concern or NRC identified issue should be documented on a separate sheet. Each concern must be documented and written with enough detail to allow thorough follow up.

Concern No. 2: An individual is concerned that a widespread "chilling effect" exists at the plant in that, in fear of retaliation: a) workers do not perform thorough evaluations of corrective actions because of a negative perception associated with asking for a due date extension, and b) workers do not admit to or report personal errors. A consequence of this, is that the corrective action program is not being used and, as a result, is not effective.

Regulatory Basis: Appendix B of 10 CFR Part 50 and chilling effect

I. Action Evaluation: The following method of resolution is recommended (circle):

- A. Send to Licensee Requesting Response in \_\_\_\_\_ Days. (Describe the general areas we expect the licensee to address.)
- B. Priority RIII Follow up and Closure Memo to OAC
- C. Follow up During Routine Inspection Within \_\_\_\_\_ Days and Closure Memo to OAC
- D. Refer to OI. Recommended Priority: HIGH NORMAL LOW  
Recommended Basis:
- E. Outside NRC's Jurisdiction. Describe Basis Below.
- F. **Too General for Follow-up. Describe Basis Below.**
- G. Other (specify) -

Responsible for Action - \_\_\_\_\_

II. Special Considerations/Instructions:

During the 95003 supplemental inspection (IR 05000266/2003007; 05000301/2003007) an attribute of the inspection plan included interviews with plant staff and manager; the interviewee indicated that they were willing to raise safety concerns. Another attribute included an assessment of the thoroughness of selected evaluations and the willingness of plant staff to identify issues. In addition the effectiveness of the corrective action program is also reviewed as part of the resident inspectors' routine inspection efforts. In general, the corrective action program was found to be adequate. The inspectors did identify that worker are being held accountable for the time it takes to complete corrective action evaluations which basically means that extensions are no longer routinely granted. The inspection team did not find examples cases where the failure to grant an extension resulted in an inadequate evaluation

Our inspection/interviews did not substantiate that (1) workers are chilled or are not willing to raise issue; and (2) workers do not perform thorough evaluations of corrective actions because of a negative perception associated with asking for a due date extension

The ARB determined that without specific examples, the concern is to general for the NRC inspectors or to refer to the licensee. Since the concern is to general and based on our inspections to date the ARB determined that this concern should be closed.