

Title: HOPE CREEK NUCLEAR GENERATING STATION

POTENTIAL DELIBERATE MISCONDUCT DURING NON LICENSED OPERATOR  
INITIAL QUALIFICATION TRAINING

Licensee:

Public Service Electric and Gas  
80 Park Plaza  
Newark, NJ 07102

Docket No.: 50-354

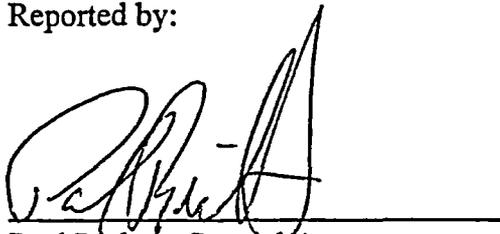
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Report Date: August 30, 2004

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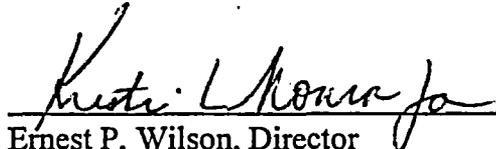
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## SYNOPSIS

On December 10, 2003, the United States Nuclear Regulatory Commission, Office of Investigations (OI), Region I, initiated this investigation to determine whether PSEG Hope Creek Nuclear Equipment Operators (NEO), gave or received aid during written examinations or if personnel conducting on-the-job training for NEO's signed qualification records without verifying that they had the requisite knowledge in the area of the sign-off during a PSEG Nuclear SAT-based Training Program conducted between March 2001 and March 2003.

Based on the evidence developed during this investigation, OI did not substantiate that NEO's gave or received aid during written examinations or that personnel conducting on the job training signed cards without verifying that the NEO's had the requisite knowledge in the area of the sign-off during SAT based training conducted between March 2001 and March 2003.

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LIST OF INTERVIEWEES

Exhibit

BALCH, Phil, Lead Instructor for PSEG Non-Licensed Operators, Hope Creek  
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## DETAILS OF INVESTIGATION

### Applicable Regulations

10 CFR 50.5 (a) (1) and (2): Deliberate misconduct (2001-2003 Editions)  
10 CFR 50.9: Completeness and accuracy of information (2001-2003 Editions)

### Purpose of Investigation

On December 10, 2003, the United States Nuclear Regulatory Commission, Office of Investigations (OI), Region I, initiated this investigation to determine whether PSEG Hope Creek Generating Station (HC) Nuclear Equipment Operators (NEO), gave or received aid during the written examinations or that personnel conducting on-the-job training (OJT) for NEO's signed qualification records without verifying that they had the requisite knowledge in the area of the sign-off during a PSEG Nuclear SAT-based Training Program conducted between March 2001 and March 2003 (Exhibit 1).

### Background

On October 24, 2003 [redacted] and Scott BARBER, Senior Project Engineer, NRC:RI [redacted] On October 29, 2003, OI [redacted] to obtain specific information. At the time of the [redacted] (Exhibit 4).

During a December 1, 2003, NRC:RI Allegation Review Board (ARB), discussions were held regarding issues related to NEO performance at PSEG HC. Based on discussion and review of the [redacted] the ARB agreed that OI would initiate an investigation into the issues of inappropriate conduct during non-licensed operator exams and inappropriate completion of OJT (Exhibit 2). The technical staff provided OI with a draft notice of a violation (NOV) (Exhibit 3).

### Coordination with Regional Staff

The issue was reviewed and discussed during ARB meetings on October 30, November 12 and December 1, 2003. The technical staff provided OI with the draft NOV and assisted during selected interviews.

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Review of Documentation

OI reviewed the HC Qualification Checkout Cards for [ ]

AGENT'S NOTE: Due to volume, the individual HC NEO Qualification Checkout Cards, with the exception of [ ] (Exhibit 21) will be maintained in the files of OI:RI and are available for review.

OI reviewed the following written examinations taken by [ ]

[ ] Mathematics Exams dated 4/6/2001, Physics Exam dated 4/9/2001, NLO Fundamentals Exam 06 (Thermo) dated 4/19/2001, NLO Fundamentals Exam 05 (Nuclear Physics) dated 4/20/2001 (Exhibit 10), NLO Fundamentals Exam 09 (I&C) dated 4/25/2001, NLO Fundamentals Exam 07 (Fluid Flow) dated 4/26/2001, NLO Fundamentals Exam 04 (Material Science and Chemistry) dated 5/4/2001, NLO Fundamentals Exam 08 (Electrical) dated 5/7/2001, NLO Fundamentals Exam 01 (Health Physics) dated 5/9/2001, Basic Systems Exam dated 5/22/2001, Reactor Building Quiz 1 dated 6/5/2001, Reactor Building Quiz 2 dated 6/14/2001, Reactor Building Quiz 3 dated 6/20/2001, Reactor Building Final Exam dated 6/29/2001, Turbine Building Quiz 1 dated 7/12/2001, Turbine Building Quiz 2 dated 7/19/2001, Turbine Building Final Exam dated 7/31/2001, Outside Systems Quiz 1 dated 11/16/2001, Outside Systems Final Written Exam dated 11/21/2001, HC NEO Init Trg Aux Bldg Quiz 01 dated 12/4/2001, HC NEO Init Trg Aux Bldg Final Exam dated 12/12/2001.

AGENTS NOTE: The NEO written examinations, with the exception of Exhibit 10, are being maintained in the files of OI:RI and are available for review.

PSEG initiated an internal investigation in response to [ ]

[ ] OI reviewed PSEG Transcript of Interview of Glenn CANADY, dated June 10, 2003, PSEG Interview Report of Rich KEEFER, dated June 10, 2003, PSEG Interview Report of Al HELGET, dated June 10, 2003, PSEG Transcript of Interview of Tobias WATKINS, dated May 28, 2003, PSEG Transcript of Interview of John CROCE, dated May 28, 2003, PSEG Transcript of Interview of John FARR, dated May 28, 2003, PSEG Transcript of Interview of Lee S. BROWN, dated May 28, 2003, PSEG Transcript of Interview of [ ] (Exhibit 19), and PSEG Interview Report of [ ] (Exhibit 8).

AGENT'S NOTE: With the exception of Exhibits 8 and 19, which were incorporated within this ROI, the remaining interviews did not have relevance to the specifics of this

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allegation. The individual PSEG Transcript of Interviews and Interview Reports are being maintained in the files of OI:RI and are available for review.

OI reviewed the PSEG Interview Questions and Notes for ECP's Investigation involving [redacted] on the issues of cheating on NEO written exams, NEO requalification exams, falsifying NEO qualification certification cards and tagging issues.

AGENT'S NOTE: The individual PSEG Interview Questions and Notes from the ECP Investigation is being maintained in the files of OI:RI and is available for review.

Allegation: Potential Deliberate Misconduct During Non Licensed Operator Initial Qualification Training

Evidence

Interview of [redacted]

[redacted] work at Hope Creek as a NEO. [redacted]

[redacted] said the cheating began when the NEO class started their training in the Reactor Building. [redacted] said the information could only be known by memorizing or reading it.

[redacted] said the alleged cheaters were organized into a group. During the written exams, one person would ask a question and distract the proctor while the others would trade or check answers (pp. 14 and 15).

[redacted] observed NEOs [redacted] cheating on the exams. [redacted] said [redacted] cheated on all the exams, approximately eight to ten, given in the Reactor and Turbine Buildings. [redacted] said it was mainly [redacted] asking and receiving answers from [redacted] (pp. 15, 22, and 29).

[redacted] said the cheating stopped on the written exams after [redacted] went and complained to the head union steward, Dan SOURBER. [redacted]

[redacted] said a management proctor was assigned to monitor the exams after his complaint to SOURBER. [redacted] went to Tom LAKE, PSEG ECP, with the details of the "cheating" on the written tests, requalification tests and "on the job" qualifications (OJT) (pp. 18).

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AGENTS NOTE: PSEG conducted an investigation in reference to the cheating allegations brought forth [ ] Exhibits 8, 16, and 51-58).

[ ] said [ ] actually gave [ ] cheating. [ ] told them the cheating was unacceptable. According to [ ] gave the same responses, "can't rat out a fellow union brother" and "if you want your time here to be normal, you know, play along or your life is going to be miserable." As far as [ ] did not bring the cheating to the attention of any management officials. According to [ ] other than [ ] in the NEO class should be able to corroborate the cheating allegation (Exhibit 4, pp. 19-21).

On one occasion [ ] overheard a conversation between [ ] planning to cheat on the exams (Exhibit 4, pp. 25 and 26).

[ ] said that [ ] also cheated on some of the exams (Exhibit 4, p. 27).

AGENTS NOTE: All NEO trainees are required to sign the front cover of each examination certifying that "All work done on this examination is my own. I have neither given or received aid (Exhibit 4, pp. 33 and 34)."

[ ] also had an incident of cheating on a re-qualification test. [ ] does not remember the exact test but remembers the details surrounding the cheating incident. [ ]

[ ] an NEO asked to look at [ ] said during the test [ ] assumed [ ] looked at the test in order to judge how much longer [ ] would take to finish the test because no one could leave until everyone was done. [ ] started to give answers to [ ] was afraid to do anything because the instructor was right in front of [ ] with his back turned. [ ] marked the answers that [ ] gave him in order to tell the instructor. [ ] was going to turn himself in but realized he passed the test in spite of the answers [ ] gave him. [ ] thought [ ] gave him the answers in order for him to finish so everybody could go home (Exhibit 4, pp. 35-38).

[ ] said the second part of the NEO qualifications was on the OJT program. [ ] said there was pressure from management and co-workers to complete the OJT as soon as possible. The OJT consisted of completing qualifications by performing, simulating or discussing certain NEO functions with a training officer and an evaluator. After displaying or completing the assignment, the training officer and the evaluator would sign the qualification

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card (Q-card). According to ( ) some of the trainers and evaluators were signing Q-cards without having the trainee do the work. ( ) referred to them as "signing" parties. ( ) said ( ) at one time or another had a Q-card signed without doing the work (Exhibit 4, pp. 42-46 and 49).

According to ( ) were involved in signing Q-cards without having the trainee complete the prescribed work. ( ) were authorized to sign Q-cards as a trainer and evaluator (Exhibit 4, pp. 50 and 51).

#### Interview of John SHINN (Exhibit 5)

SHINN was the supervisor and was responsible for the NEO Training Course in the March 2001 to March 2002 time frame. SHINN remembered supervising the class. SHINN was responsible for the overall development, schedule, evaluation of the class, and evaluation of the personnel. SHINN said Phil BALCH was the program coordinator for the NEO training class (pp. 3, 4, 9, and 10).

SHINN proctored several of the NEO exams. SHINN did not observe cheating during any of the tests. SHINN said BALCH and several adjunct instructors proctored the rest of the examinations. SHINN advised there never were two proctors for the examinations. However, SHINN would sit in on some of the examinations to observe the adjunct professors (pp. 12-14).

SHINN does not recall anyone raising allegations of cheating to him (SHINN) during the NEO training course. He does not believe cheating took place during the written examinations during the NEO training course (pp. 15 and 16).

In reference to the OJT program, SHINN was responsible for scheduling the in-plant training. He reviewed the OJT cards to evaluate the progress of the NEO students. He is familiar with the process of getting Q-cards signed by the trainers and evaluators. He did not see any indicators that candidates in the NEO class were getting Q-cards signed without completing the work. SHINN is familiar with the term "signing parties." He did not observe or detect any "signing parties" taking place during this training class (pp. 27, 28, and 33-35).

#### Interview of Phil BALCH (Exhibit 6)

In March 1996, BALCH started at PSEG as an NEO. Since September 2003, BALCH has been the lead instructor in the non-licensed operator training program. Prior to this position, BALCH was the lead instructor for non licensed operator continuing training programs and the backup to the training supervisor. SHINN was BALCH's supervisor. As a lead instructor, BALCH

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developed and administered all the exams and monitored the qualifications once a student completed the initial classroom training (pp. 9-14).

BALCH said Bodee BEYL and Leland BROWN worked as instructors for the classroom training. BEYL and BROWN are members of the union. Dan GARRITY was an associate and a non union instructor. BALCH was involved in the initial NEO class of [

] BALCH taught two or three classes as a platform instructor. BALCH developed all of the exams and administered some of them (pp. 17-19).

BALCH did not see any evidence of cheating during the examinations. BALCH said the written tests were administered in a room where there was approximately two and a half to three feet between each student (pp. 21, 31, and 32).

BALCH said Shawn FRANIC and Robert COGAN were also instructors with BROWN and BEYL as part of the classroom instruction (p. 28).

BALCH said after each test, every student signed a cover sheet affirming that the test work was their own (Exhibits 10 and 34-53). Once a student completed the test, they were not allowed back into the classroom until everyone was done the test. BALCH said there was routinely only one proctor for the test (Exhibit 6, p. 34).

BALCH said that none of the students were allowed to bring in materials from outside the classroom. The proctor supplied all the drawings and materials for the test. After the test, the materials were collected and checked for any evidence of cheating. In reference to the NEO class mentioned in the allegation, BALCH said the materials were reviewed and there was no evidence of cheating (Exhibit 6, pp. 35 and 36).

BALCH said the classroom was quiet during the administering of the test. If someone were talking, it would have been easy to hear. BALCH does not remember any individual in the initial training class was asking an inordinate amount of questions during the test (Exhibit 6, pp. 37 and 38).

BALCH said Kurt KRUEGER and Devon PRICE pushed to have the trainees qualified and able to work for the October 2001 outage. PSEG also wanted the training completed by December 2001. BALCH and SHINN were not happy with the decision (Exhibit 6, pp. 40-42).

BALCH reviewed the OJT Q-cards for signatures. BALCH said some of the evaluators did more signatures than others but this did not raise any red flags in his mind. BALCH said that none of the trainees had an exorbitant number of signatures on their Q-cards (Exhibit 6, pp. 47-49).

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BALCH did not see any evidence of "signing" parties. He said that he thought the opposite was true because some of the candidates were having a hard time getting signatures on their Q-cards (Exhibit 6, p. 51).

BALCH said none of his contemporaries, who may have been in a position to know, never mentioned anything that cheating was going on in the training class (Exhibit 6, pp. 55 and 56).

Interview of [ ] (Exhibit 7)

In 1997, [ ] as an NEO. [ ] completed the initial class room and OJT in 1998 and 1999 (p. 7).

[ ] was not involved in the initial NEO classroom training in the March 2001-2003 time frame. However, [ ] did take requalification exams and participated as an evaluator and trainer for the OJT with this class (pp. 8 and 21).

[ ] during the requalification exams (pp. 13 and 14).

[ ] is qualified to perform the functions of an OJT evaluator and trainer. [ ] signed Q-cards as an OJT trainer and evaluator for the NEO class. [ ] never refused to sign a Q-card if the work was properly discussed, simulated or performed as part of the requirements. [ ] did not witness any other OJT trainer or evaluator sign Q-cards for anyone who did not meet the requirements (pp. 16, 17, and 22).

[ ] said it is not unusual for a trainee to have several signatures on a Q-card on one particular day. [ ] said that some of the training assignments require multiple signatures documenting the completion of the work. [ ] said it is not unusual to have a Q-card signed several days after the assignment was completed because of work situations that arise during the shift. [ ] has been approached by trainees several days later to have the Q-card signed for previous documented performed work (pp. 19 and 20).

AGENTS NOTE: On [ ] was interviewed by representatives of PSEG in reference to same issues as mentioned in this allegation (Exhibit 8). The statements [ ] to OI and PSEG are consistent and do not contain any contradictory information.

Interviews of [ ]

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[ ] (hereafter collectively referred to as class members) were part of a NEO classroom training class that took place from approximately March 2001 till December 2001. As part of the training program, the class members participated in NEO OJT qualifications. The OJT ran concurrently and then consecutively with the classroom training. The class members received their OJT qualifications at different times depending on their work schedules. For the most part, everyone received their NEO certifications by March 2003.

OI interviewed [ ] of the NEO class members individually. In summary, the class members did not admit to any aspect of cheating on the written tests or falsifying the requirements of the OJT.

[ ] specifically accused of cheating during the written exams, deny giving or receiving assistance during any of the exams. They did not distract the proctor in order to allow others to cheat on the exams. [ ] did not provide assistance to anyone during the exams. [ ] did admit to providing assistance to [ ] but outside of the classroom and not during a test (Exhibit 9, pp. 11 and 12; Exhibit 13, pp. 10 and 11; and Exhibit 14, pp. 11).

During the interview of [ ] was shown Exhibit 10 [ ] was directed to question number twenty (20). Question number twenty (20) required a true or false answer. [ ] in large letters as compared to [ ] when writing [ ] said number twenty was a stupid question, so he was being sarcastic [ ] in large letters (Exhibit 9, pp. 16-18).

AGENT'S NOTE: OI consulted with Senior Project Engineer Scott BARBER, DRP:RI, in reference to the complexity of the question. BARBER concurred with [ ] that the question was rather simple. A review of Exhibit 10 documented that none of the class members had the wrong answer for question number twenty (20).

[ ] did not recall witnessing cheating in the classroom. [ ] did not admit confronting [ ] about the cheating being unacceptable (Exhibit 17, pp. 11 and 12; Exhibit 18, pp. 11-13; Exhibit 22, pp. 11-14).

AGENTS NOTE: On [ ] was interviewed by representatives of PSEG in reference to same issues as mentioned in this allegation (Exhibit 19). The

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statements [ ] provided to OI and PSEG are consistent and do not contain any contradictory information.

[ ] who were accused of cheating, denied that it ever took place (Exhibit 15, p. 11 and Exhibit 13, pp. 11 and 12).

[ ]

The class members gave plausible explanations on completing the requirements and ascertaining the appropriate signatures for certification in the NEO OJT program. The interviews did not reveal any evidence of impropriety on the part of the class members or the evaluators and trainers associated with the OJT program. There was no indication that "signing parties" took place during the OJT program.

During the interview of [ ] a comprehensive review was done on all the Q-cards (Exhibit 21) completed by [ ] during the OJT program. [ ] said the Q-cards accurately reflect the work performed with the appropriate accompanying signatures. [ ] said it was not unusual to receive a high number of signatures on a particular day. [ ] said your shift assignment, your building location, and your trainer/evaluator were contributing factors in accomplishing the OJT tasks and receiving the signatures for certification (Exhibit 20, pp. 22-25).

[ ] contend that signatures for Q-cards were obtained only after the requirement was met by demonstrating proficiency in discussing, simulating or performing the required tasks.

#### Agent's Analysis

Interviews with SHINN, BALCH, and [ ] did not substantiate that any misconduct took place during the NEO written examinations or OJT program.

Interviews with [ ] appear to be credible and refuted the allegations of cheating on the NEO written examinations or that any specific instances of falsification or deficiency in the NEO qualifications took place.

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The review of the written examinations did not reveal a pattern of irregularities or cheating. There was no evidence to indicate any specific instances of cheating that would call into question the validity of the written results of the NEO written exams.

The review of the Q-cards disclosed an exorbitant number of signatures on specific days which potentially called into question the validity of the signatures of the trainers and the evaluators. Ultimately, the review and information received during the interviews did not indicate any specific instances of falsification or deficiency that would call into question the validity of the NEO qualifications.

OI reviewed PSEG Transcript of Interviews and Interview Reports and concluded that the information annotated in the interviews did not indicate any specific instances of falsification or deficiency that would call into question the validity of the NEO qualifications or a pattern of irregularities or cheating that would call into question the validity of the written results of the NEO written exams.

OI reviewed the PSEG Interview Questions and Notes on ECP Investigation and did not find any information to indicate any specific instances of falsification or deficiency that would call into question the validity of the results of the NEO written exams, NEO requalification exams, and NEO qualification certification cards.

#### Conclusion

Based on the evidence developed during this investigation, OI did not substantiate that NEO's gave or received aid during written examinations or that personnel conducting on the job training signed cards without verifying that the NEO's had the requisite knowledge in the area of the sign-off during SAT based training conducted between March 2001 and March 2003.

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LIST OF EXHIBITS

<u>Exhibit No.</u>	<u>Description</u>
1	Investigation Status Record, dated December 10, 2003 (1 page).
2	Allegation Receipt Report, dated October 24, 2003 (2 pages).
2A	Allegation Review Board Disposition Record, dated December 1, 2003 (2 pages).
3	Draft Notice of Violation, Undated, (2 pages).
4	Transcript of Interview of [redacted] (150 pages).
5	Transcript of Interview of SHINN, dated April 5, 2004 (38 pages).
6	Transcript Interview of BALCH, dated January 12, 2004 (68 pages).
7	Transcript Interview of [redacted] (27 pages).
8	PSEG Interview Report of [redacted] (2 pages).
9	Transcript of Interview of [redacted] (29 pages).
10	NLO Fundamentals Exam 05 (Nuclear Physics), dated April 20, 2001, for [redacted] including master copy (94 pages).
11	Transcript of Interview of [redacted] (19 pages).
12	Transcript of Interview of [redacted] (19 pages).
13	Transcript of Interview of [redacted] (18 pages).
14	Transcript of Interview of [redacted] (23 pages).
15	Transcript of Interview of [redacted] (20 pages).

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- 16 Transcript of Interview of [ ] (20 pages).
- 17 Transcript of Interview of [ ] (20 pages).
- 18 Transcript of Interview of [ ] (25 pages).
- 19 PSEG Transcript of Interview of [ ] (24 pages).
- 20 Transcript of Interview of [ ] (26 pages).
- 21 [ ] Hope Creek Nuclear Equipment Operator Qualification Checkout Card (113 pages).
- 22 Transcript of Interview of [ ] (23 pages).

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