



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

November 2, 1995

MEMORANDUM TO: Donald E. Funk, Inspection & Compliance Specialist
FROM: Gary L. Shear, Chief Fuel Cycle Branch *Gary L. Shear*
SUBJECT: TELEPHONE CONTACT WITH R. SHARKEY (COMBUSTION ENGINEERING REGULATORY COMPLIANCE MANAGER)

On October 31, 1995, John Jacobson spoke with Bill Sharkey, the Regulatory Compliance Manager at Combustion Engineering (CE) regarding a health physics technician's possible falsification of records. Mr. Sharkey indicated that [redacted] an HP technician at CE, had accepted a 3-day suspension for possible falsification of records after a long investigation which involved the technicians' union. *TC*

Mr. Sharkey stated that back in August of this year, the oxide plant had been down for a period of time and the air samplers in that area were not in operation. When the oxide plant is in operation, the licensee is required to operate and maintain the air samplers, and collect and analyze the samples for airborne concentrations of uranium, by license condition. Part of [redacted] duties was to perform and document a weekly check of the air flow rates for the samplers in various areas of the plant. During this period when the licensee had turned the samplers off, [redacted] recorded values for the flow rates in the oxide plant. This led his management to question whether or not he was actually checking the flow rates or simply annotating the standard plant record (which is used to input data into a spreadsheet which calculates concentrations of airborne radioactivity) without checking the rotameters. In his defense, [redacted] stated that he had turned on the pumps to the air samplers in the oxide plant in order to perform his weekly check. The licensee was not able to confirm or deny his statement. *TC*

Mr. Sharkey stated that to his knowledge, this was the only instance in which plant management questioned the veracity of [redacted]. He did not report this incident to the NRC because the oxide plant was not operating at the time, so the licensee was not required to take air samples, and in fact was not collecting data with the samplers involved. He was also not able to get [redacted] to change his statement, and had no means to verify whether or not the flow rates had actually been checked. *TC*

Based on the fact that the HP tech's actions had no impact on safety since the oxide plant was shutdown; that the licensee's investigation of whether or not the tech falsified the records was inconclusive; and, that even if the HP tech did not properly record the flow rates, there was no affect on NRC-required records since the licensee was not collecting samples during the period in question, the Fuel Cycle Branch plans to take no further action in regard to this allegation.

Information in this record was deleted in accordance with the Freedom of Information Act, exemptions *TC*
FOIA- 2004-0234

~~10 CFR 2.790 INFORMATION EXEMPT FROM DISCLOSURE~~

OK to release after redacting.
Pres. Clapp
9/3/04
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