

OYSTER CREEK STRIKE MONITORING ACTIVITIES - UPDATED 7/25/03

(Updated info in **BOLD**, non-applicable items in ~~strike-out~~)

Overview

The Oyster Creek strike began on May 22, 2003, while the plant was shutdown (forced outage) for a failure of the #1C 4160 VAC vital bus. The repairs to the bus were completed satisfactorily and the plant was successfully returned to service with reduced staffing consisting of engineering, supervisory, and managerial personnel, supplemented by non-union staff from Limerick and Peach Bottom. All control room operators and NLO positions are being staffed with current SROs. There are a total of three operating crews. Two crews have 7 SROs and the third crew has 8 SROs in the complement. Region 1 NRC has been concerned with safe operation of the plant with the reduced staffing, especially since plant management has canceled leave, adjusted work hours (12 hour shifts) and schedules (4 on/2 off), and generally required more work from the staff operating the plant. Initially, the site management/engineering staff were sequestered for about 2 weeks. Some staff were permitted to leave the site, though. Since the initial sequestering period, site staff have been leaving the site at the end of each shift.

As of ~~June 23~~ **July 25**, 2003, the Licensed and Non-Licensed operators remain on a "4 on 2 off" shift rotation consisting of three separate operating crews. Other departments (maint., I&C, Rad Pro) have gone to a "5 - 10 hour day" schedule with weekends off. EP and Fire Brigade staffing are still being maintained at proper levels on back shifts and weekends.

Pickers at the site entrance have not caused significant problems for personnel attempting entrance to the site; however, some delays and verbal exchanges have occurred. Some bargaining unit members have intimated that they may cross the picket line and regain employment. One non-licensed operator and four clerks have crossed the picket line as of 7/1/03. ~~We've been told unofficially by Rick Maldonado (licensee maintenance director and part of the contract negotiating committee) that 5 additional non-licensed operators have resigned from the union and will report to work on Monday July 21, 2003.~~ **On July 22, 2003, three more Non-Licensed Operators (NLOs) crossed the picket line for a total of 4. Eight additional NLOs and two chemistry techs have submitted the paperwork to resign from the union and are expected back to work on July 28, 2003.**

The resident inspectors are working a first-forty schedule, ~~with at least one visit to the plant on weekends (a phone call is made on one day if the site is not visited).~~ The resident inspectors are providing weekend and backshift coverage for significant plant evolutions or emergent work in lieu of the past practice involving weekend site coverage. ~~We plan to discuss this schedule change during the next bi-weekly management call.~~ Additionally, the residents have lowered the threshold for notification from plant personnel of plant issues such as significant surveillance and maintenance activities, and any human performance related CAPs that may indicate fatigue or lack of knowledge as a causal factor. The inspectors have noted no issues indicating fatigue or lack of knowledge, however a concern was expressed (and forwarded via an allegation receipt), by a member of the NJ DEP about a fatigue issue concerning a licensee engineering staff individual. ~~This week~~ The inspectors spoke to numerous members of the engineering, maintenance, and ops staff and none have expressed that fatigue is an issue.

Current Overall Assessment

Today is day 65 of the strike. There has been one unsuccessful negotiating meeting since the strike was called, using a state mediator. The union president called the company on 6/25/03 to request a meeting with the New Jersey state mediator. There have been three unsuccessful negotiating meetings since the strike began. The most recent meetings between the union and management occurred the morning of July 3 and again on July 7. Neither meeting was productive in resolving the impasse over implementing new work practices through the contract. The July 7 meeting was concluded by the state mediator without scheduling further negotiating meetings at this time, since neither party had moved toward agreement on the work practices issues. On July 16, 2003, the licensee attorney contacted the union in order to ascertain the unions position for the resumption of talks. Based upon that discussion, a tentative meeting was planned for Monday, July 21, 2003. **The meeting held on July 21, 2003, was non productive. The next meeting is scheduled for July, 28, 2003.**

There have been no significant performance issues identified by either NRC or company oversight since the normal staff went on strike. Resident and regional staff observed the significant repair activities for the vital bus and the reactor startup activities. All activities were well controlled. At this time, it appears that the reduced staff compliment have been appropriately implementing station practices, including good use of procedures and the corrective action program. In addition, the station management have been exceeding planned work-off goals for all station work backlogs.

The Resident inspectors have the following concerns:

(1) While there's been no evidence of fatigue, we are concerned that the current schedule (3 crews/ 12-hr shifts), including no leave, can't be sustained for the long-term without adverse affect. The residents have monitored use of overtime for the operators and have noted that licensee management has appropriately controlled use of overtime within NRC requirements. Frequent tours of the plant and control room by resident and regional staff have not revealed any sign of fatigue. Nine new qualified equipment operators have been added to the operating crews and several plant staff are being trained for fire brigade responsibility. These actions have resulted in SROs being granted some time off for leave. In addition, when the fire brigade training is completed, plant management will commence a four-shift rotation in operations. This is expected to be implemented by September 2003.

(2) Requal training for the SROs (initially suspended) will recommence on 6/24 - the amount of training time has been significantly reduced from the normal requal training cycle. We are concerned that the reduced training may be insufficient. However, adding more training will result in less time off, which will exacerbate the fatigue concern for the operators. The training day will replace one of the normally scheduled days-off in a five week cycle. The residents observed the training which began on 6/24/03. DRS provided an inspector to assess the training on 7/2, and 7/10. Their observations are discussed below in question #8. Once the operating department implements the four-shift rotation in September, a two-day/five week training cycle will commence, which will also facilitate completing the requalification exam process for the current SROs that has been delayed by the strike.

(3) No engineering department personnel are on strike except 4 or 5 clerks. Currently 14-16 staff engineers are performing maintenance activities. Previously assigned Backup staff engineers are performing the duties of those now doing the maintenance work. An action request backlog and CAP response backlog is slowly building due to the shuffling of personnel. The backlog has not yet manifested itself into any significant issues. More details below.

(4) Site dose is currently exceeding the stretch goal of 35 rem for the year (now at **122%** of goal on a prorated basis **which is an improving trend**). Since the strike began, accumulated dose has been higher than predicted prior to the strike. The licensee stated that this was due to the increased amount of work being accomplished and 2 or 3 high dose activities that were emergent or expanded scope. We have inspected in this area (DRS & DRP) and found no issues. Currently, Rad Pro coverage is acceptable and dose is being managed acceptably.

(5) The residents and regional management observed portions of a emergency preparedness practice drill on June 26. While there were no significant observations regarding staffing of the ERFs, we noted some weak performance by staff in the JIC. Previously, JIC performance was weak during the evaluated exercise in June 2002 and a performance improvement plan had been implemented. The current practice drill was also observed by the State of NJ. They also described to the NRC staff that they observed continuing weak performance in the JIC. NRC regional management discussed this issue and determined that the residents should inform licensee management of this concern (completed 7/8), and that the upcoming evaluated exercise should include an effectiveness review of the corrective actions for the JIC weak performance, as well as have headquarters expertise in evaluating JIC performance.

Details

1) Are required positions being properly staffed - licensed operators, EP responders, etc.

The residents have verified that Technical Specification (TS) and other procedural staffing requirements for Licensed Operators, STAs, Fire Brigade, Emergency Planning, and Radiation Protection Technicians are presently being met. Additionally, we continue to verify that the personnel performing work (maintenance, chemistry, welders...etc.) are meeting qualification standards (ANSI..etc.) specified procedurally or in TS.

On 6/26/03, a practice EP drill was run including activation of the OSC, TSC, EOF, and JIC. The operator actions for the drill were simulated by a control cell in the simulator facility. Additionally, field teams run out of the OSC were simulated (tabletop briefs and discussions only). The limited response in these facilities was done to minimize impact on site staff.

The practice drill was observed by the residents at the OSC, TSC, EOF, and JIC. No concerns were identified involving staffing of the licensee's ERFs. Additionally, Wayne Lanning and John White observed EOF and JIC activities. The State of NJ also observed the drill. In general, drill performance was adequate. Some communications issues were apparent in the JIC, specifically regarding the description of the PAR, however, the issues were resolved prior to releasing any information to the public. In addition, JIC staff had difficulty in effectively communicating information about the nature and characteristics of the simulated radiological release. The state was unimpressed with the JIC and continues to have concern with the flow of information and lack of communication between the licensee and their (state) personnel.

An ingestion pathway exercise is scheduled this year, 2 weeks after the September 9 evaluated exercise.

On July 8, NRC regional management discussed the performance of the licensee ERO during the practice drill and concluded that, while our observations didn't indicate a

performance finding, we were concerned about the long-standing problems in the JIC. We determined that an effectiveness review of corrective actions taken for JIC performance since the last evaluated exercise should be included in the scope of the upcoming September exercise inspection. We also decided to inform the station VP of our concerns about the JIC. The SRI discussed this with the VP on July 8 and 9. Additional communications are planned between NRC management and licensee management to re-emphasize the need to demonstrate improved JIC performance. NRC management also plans to discuss our actions/plans with the State of NJ.

No new comments.

2) What work activities are being deferred (PMs, etc.) - number and significance of work.

As of ~~June 8~~ **July 25, 2003**, no PMs have been deferred. The residents noted that two maintenance activities scheduled for the #2 EDG 6 month PM, completed on June 17, 2003, were removed from the work scope. The activities were a check valve replacement in the fuel oil system and a pressure check of the EDG alternate fuel oil supply piping. The residents are currently following up on the reason for the work deferral. EDG #2 is operable at this time.

The residents found that the items removed from the scope of the #2 EDG 6 month PM were removed in accordance with the licensee work control process and were rescheduled for the next PM window (11/03). The residents determined that moving these items will not affect EDG operability.

~~No PM or CM activities were deferred or incomplete for the work week ending 6/22/03.~~

~~No licensee update available until 7/3/03, although the resident review of this weeks activities showed no discrepancies thru 7/1/03.~~

The licensee has been tracking work week performance on a weekly basis to identify any PMs or STs that are not accomplished per the schedule. No PMs or STs have been missed as of 7/21/03.

3) Were any surveillance or maintenance activities missed.

Two TS surveillance activities related to emergency planning were not completed as scheduled for the week ending 6/8/03. The residents have verified that they have been rescheduled to meet TS surveillance requirements. Lack of resources (staff) was the reason given for not meeting the schedule.

No STs were missed through the week ending ~~6/29/03 7/6/03~~ **7/20/03**.

4) Have there been any human performance issues due to fatigue, overtime use, unfamiliarity with activities, etc.

~~No human performance issues have been noted as of June 17, 2003.~~

On 6/7/03, a tagging issue occurred involving the breathing air system. A contractor Rad Tech closed a valve that was tagged open. The tech did not see the tag on the

component. No personnel injury or equipment damage occurred; although the event was considered a "near miss" for personnel safety. No equipment was rendered inoperable. The details of the issue are discussed in CAP 2003-1189. The licensee wrote a problem resolution and are performing an apparent cause evaluation. The residents will review those documents when complete on 7/11/03. The issue involved contract workers who appeared to be unfamiliar with the station tagging process and in addition, were unfamiliar with the station practice of reporting "near misses" for personnel safety problems when they occur.

No new issues as of ~~7/1/03~~ ~~7/8/03~~ 7/24/03.

As of 7/25/03, the inspectors have noted no issues indicating fatigue or lack of knowledge, however a concern was expressed (and forwarded via an allegation receipt), by a member of the NJ DEP about a fatigue issue concerning a licensee engineering staff individual. This week the inspectors spoke to numerous members of the engineering and ops staff and none have expressed that fatigue is an issue.

- 5) Has the number or significance of CAPs initiated changed, and are significant CAPs being addressed and closed out appropriately.

No measurable change has been noted in the number or significance of CAPs initiated since the strike began. It is too soon to assess most CAP closeout issues from CAPs written post strike, however, we are reviewing older CAPs to assess delays in their closeouts. No significant delays have been noted with older CAP closeout items specifically related to risk significant SSCs.

No new information. DRS (Hipschman) will be performing a "mini" PI&R inspection focusing on corrective action backlog during the weeks of 8/11 and 8/18.

- 6) Are work off rates trending in an adverse direction, and if not, is this at the expense of something else.

Based upon a review of maintenance and PM backlog documentation, the trend is in a positive direction (trending down). It has yet to be determined whether the trend is at the expense of other work which the residents will continue to assess. A CAP written by the licensee dated 5/19/03 (2003-0991) (pre-strike) was critical of the FIN team non-outage action request backlog. The CAP noted that 42% (about 100) of the action requests were over a year old. The residents are currently reviewing this backlog to assess any long-term impact of risk significant SSCs. **There is an increasing trend in CAPs with response time extensions. Prior to the strike the # was about 60, as of July 21, 2003, the # is 120. The significance of the CAPS with response extensions is being evaluated by the residents and will be further assessed in August by DRS (T. Hipschman).**

Workoff rates continue to trend in positive direction (trending down), although at a somewhat slower pace. As of 7/25/03, the Corrective Maintenance (CM) backlog was ~~74~~ ~~57~~, 50 activities (station goal is < 120) and total elective maintenance (EM) backlog was ~~390~~ ~~373~~ ~~359~~, 351 activities. The total maintenance backlog, which includes CMs,

EMs, and other "non-degraded" elective maintenance was ~~700 662 643~~ **614**. This total is down from slightly over 900 activities since the beginning of the strike.

During his visit on 6/27/03, Wayne Lanning spoke to engineering, ops, and rad pro to assess the backlog of work and determine "what's not getting done." After considerable prodding, they revealed that a backlog is building in action requests among the engineering dept. (about 900) and CAP response due dates have been extended for about 100 CAPs. No significant issues have been noted as yet due to the backlog.

- 7) Are there any problems getting specialty maintenance workers ("experts"), such as qualified welders, fire brigade leaders, etc.

Other than personnel required for the cable replacement work there have been few needs for a large number of replacement workers to complete tasks. AmerGen/Exelon is currently providing about 30 workers from Limerick, PB, and their NMD group to assist in daily maintenance, chemistry, and RP tasks. No problems have been noted in obtaining workers when needed.

No new issues noted.

- 8) Are operators meeting requalification commitments.

An exemption request was submitted to NRR to extend the training completion date from 6/30/03 to 12/31/03, as needed, due the strike. ~~NRG is presently reviewing that request for approval.~~ Additionally, the residents have reviewed the upcoming interim requal training that is planned for the SROs and has requested DRS assistance to assess the adequacy of that training. (Blamey, Conte)

~~An exemption for extending the requal cycle thru 12/30/03 is expected to be approved by NRR before 6/30/03. In addition, the licensee has submitted a letter to the NRC (dated 6/26/03) providing additional details about the training schedule.~~

The residents observed the initial implementation of the modified requal training on 6/24/03 (8 hours for each of the 3 crews is scheduled on consecutive weeks). We observed 2 simulator scenarios and reviewed the topics covered in the classroom. The residents noted a slight weakness in 3 way communications and crew briefs and verified that the instructors noted the same weakness.

DRS is providing additional inspection when training resumes in August and September.

The requal training program cycle exemption (dated 6/27/03) was approved and a commitment letter (dated 6/26/03) regarding training program content/actions was received by the region. ~~DRS will provide an inspector each of the next 2 weeks to observe and assess the interim requal training.~~

- 9) What is the status of the strike - are negotiations ongoing or planned. Are things heating up on the picket lines. Is there any affect on safe plant operations, especially concerning getting people on site.

~~No negotiations are currently planned, however,~~ the company sent a letter out to all union employees this week (dated 6/16/03) which documented the progress of negotiations and again provided guidance to any union worker who wanted to resign from the union and cross the picket line.

The union president called the company on 6/25/03 to request a meeting along with the New Jersey state mediator. ~~A meeting between the company and union has been scheduled for the morning of 7/3/03.~~ Meetings occurred on July 3 and 7, however, no agreement was reached on the area of work practices. The state mediator broke off discussion and no further meetings are planned at this time. A meeting is tentatively scheduled for July 21, 2003 in the morning. **The meeting held on July 21, 2003, was non productive. The next meeting is scheduled for July, 28, 2003.**

- 10) Is the NRC prepared to respond if the strike ends and people go back to work, in terms of 24 hour coverage of activities. Are we also prepared to respond if there is any adverse affect on safe plant operations - personnel are available.

The watch bill is up to date through ~~July 5, 2003~~ **August 4, 2003. Rich Barkley is currently working on updating and extending the schedule.** Additional staff will be requested, if needed, upon the anticipated end to the strike. According to the licensee recovery plan, and based upon need for AmerGen to provide extensive staff training prior to recommencing normal duties, the licensee could implement a protracted "return to normal" transition. The resident inspectors will monitor this recovery plan and ensure that an appropriate oversight period is included, up to and including 24/7 coverage.

~~Recommend relaxing weekend coverage to call in only unless previously defined significant activities are being performed or if strike ends. Approved for implementation - July 11, 2003. For the holiday weekend recommend S. Dennis be on site for the morning of 7/4/03 with call in coverage the remainder of the weekend.~~