



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

July 2, 2007

EA-07-083

Mr. Britt T. McKinney
Senior Vice-President & Chief Nuclear Officer
PPL Susquehanna, LLC
769 Salem Blvd. - NUCSB3
Berwick, PA 18603-0467

SUBJECT: SUSQUEHANNA STEAM ELECTRIC STATION - NRC INVESTIGATION
REPORT NO. 1-2006-047

Dear Mr. McKinney:

This letter refers to an investigation initiated by the NRC Office of Investigations (OI), Region I, on April 7, 2006, at the PPL Susquehanna's (PPL) Susquehanna Steam Electric Station (SSES) to determine if a Senior Reactor Operator (SRO) deliberately failed to report an arrest as required by station procedures. OI initiated this investigation after you identified the apparent misconduct by the SRO and reported the issue to the NRC. Subsequently, you informed us that you removed the SRO from licensed duties and suspended the individual's unescorted access to the protected area of the site.

Based on the evidence developed during the investigation, the NRC identified that the SRO deliberately failed to report an arrest (for driving under the influence of alcohol) as required by station procedure NDAP-00-2002, Revision 4, "Fitness for Duty/Behavior Observation Program," when he reported for duty on June 27, 2006, the first day onsite after the arrest. A factual summary of the OI Investigation Report, describing the basis for this finding, is enclosed with this letter.

The NRC is evaluating this matter and you will be advised of the results of our deliberations by separate correspondence at a later date. No response is required at this time.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA by James W. Clifford for/

David C. Lew, Director
Division of Reactor Projects

Docket No. 50-387, 50-388
License No. NPF-14, NPF-22

Enclosure: OI Factual Summary

cc w/encl:

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B. McKinney

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Sincerely,
/RA by James W. Clifford for/
David C. Lew, Director
Division of Reactor Projects

SUNSI Review Complete: PGK (Reviewer's Initials)

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B. McKinney

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Region I OE Files (with concurrences)

FACTUAL SUMMARY OF OI INVESTIGATION REPORT NO. 1-2006-047

On August 4, 2006, the U. S. Nuclear Regulatory Commission's (NRC) Office of Investigations (OI), Region I (RI) Field Office, initiated an investigation to determine if a licensed Senior Reactor Operator (SRO) at the Susquehanna Steam Electric Station (SSES) deliberately failed to report an arrest as required by a station procedure.

OI found that the subject SRO was involved in a single vehicle traffic accident on June 19, 2006. The individual was taken immediately to a local hospital as a result of injuries sustained during the accident. While at the hospital on June 19, the individual was informed by the local law enforcement authority (LLEA) that he was placed under arrest for driving under the influence (DUI) and was required to submit to a blood alcohol test. Also, the subject SRO was required to sign a form authorizing the test which included a statement informing the individual that he was under arrest for DUI.

OI noted the following documentation in its investigation. A Police Crash Reporting Form, dated June 19, 2006, indicated that the subject SRO had been charged with DUI. The LLEA Incident Report, dated June 23, 2006, documented the auto accident, indicating that the incident resulted in a physical arrest. On July 5, 2006, an affidavit and criminal complaint charged the SRO with Impairment - Incapable of Safe Driving.

OI reviewed SSES procedure NDAP-00-2002, Revision 4, "Fitness for Duty/Behavior Observation Program," which required, in part, that individuals with unescorted access to the site shall report any arrests, criminal charges, convictions, or criminal proceedings to their supervisor and Site Access promptly (i.e., on the first day back to work).

The SRO provided testimony indicating that he had been drinking the night of the traffic accident, although he stated that he had no memory of the accident or events that occurred after the accident, including the arrest. The SRO also stated that he had contacted his insurance company to inform them of the accident and he also informed them that alcohol was involved. The SRO contacted a lawyer to better understand the consequences and possible actions by the magistrate if he was charged with DUI. When he returned to work, the SRO reviewed the station fitness for duty procedure to verify his understanding of the reporting requirements for arrests. He testified that he did not know that he had been arrested, and that he verified he was within the procedural reporting requirements. He further testified that he became aware of the arrest when a relative informed him that an accounting of the arrest was described in a local newspaper. This additional confirming information provided by the relative provided another opportunity for the SRO to inform SSES management about the arrest.

OI noted that the SRO took deliberate steps to avoid finding out that a criminal complaint was filed against him for DUI, or that a criminal proceeding against him had begun, hoping to delay the inevitable. OI also noted that the SRO had a responsibility to determine whether or not he was in compliance with the site access requirements; and, that the only way to determine that was to ascertain if he had been arrested, or if a criminal complaint for DUI was filed against him. As a result, OI concluded that the SRO deliberately failed to report an arrest as required by station procedure.