

UNITED STATES GOVERNMENT

Memorandum

TENNESSEE VALLEY AUTHORITY

TO : G. H. Kimmons, Manager of Engineering Design and Construction, W12A9 C-K

FROM : H. N. Culver, Director of Nuclear Safety Review Staff, 249A HBB-K

DATE : August 19, 1982

SUBJECT: INVESTIGATION OF ALLEGED IMPROPER TERMINATION OF SERVICES OF A PERSONAL SERVICES CONTRACT EMPLOYEE - NUCLEAR SAFETY REVIEW STAFF REPORT R-82-16-BLN

Attached is the NSRS report of an investigation conducted at Bellefonte Nuclear Plant in accordance with a request from the General Manager on July 6, 1982 (GNS 820702 050). The investigation dealt with the circumstances surrounding the release of services of a personal services contract employee [REDACTED], and the resultant notice of apparent violation by the Nuclear Regulatory Commission in its IE Report Nos. 50-438/81-26 and 50-439/81-26.

The results of the investigation indicate that Mr. [REDACTED] was not released due to a threat to discuss quality concerns with the NRC but was released for other reasons considered justifiable in releasing the services of a personal services contract employee.

The report contains six NSRS concerns, expressed as conclusions and accompanying recommendations which require attention by OEDC, CONST, and/or Bellefonte management. You are requested to provide us your plans for resolving these concerns within 30 days of receipt of the report. The response should specify actions taken or to be taken and the time frame for those actions which will be taken.

On August 2, 1982 certain management concerns not addressed in this report were discussed with W. R. Brown. These concerns were discussed separately in that they were not directly related to the issue involved in our investigation, although the concerns were identified during the course of the investigation.

We appreciate the cooperation exhibited by members of your staff contacted. If you have questions concerning the contents of the report, please contact M. S. Kidd at extension 4816 in Knoxville.

H. N. Culver
H. N. Culver

MSK:LML

Attachment

cc (Attachment):

G. F. Dilworth, E12D46 CK

H. S. Sanger, Jr., E11B33 C-K

READING FILE

TENNISSEE VALLEY AUTHORITY
NUCLEAR SAFETY REVIEW STAFF
NSRS REPORT NO. N-92-16-BLN

SUBJECT: INVESTIGATION OF ALLEGED IMPROPER TERMINATION
OF SERVICES OF A PERSONAL SERVICE CONTRACT
EMPLOYEE

DATES OF
INVESTIGATION: JULY 6-22, 1982

INVESTIGATORS:

Michael S. Kidd
MICHAEL S. KIDD

8-18-82
DATE

Michael A. Harrison
MICHAEL A. HARRISON

8/18/82
DATE

APPROVED BY:

James A. Crittenden
JAMES A. CRITTENDEN

8-18-82
DATE

TABLE OF CONTENTS

	<u>Page</u>
I. BACKGROUND	1
II. SCOPE	1
III. CONCLUSIONS/RECOMMENDATIONS	2
IV. DETAILS.	5
V. LIST OF PERSONS CONTACTED.	20
VI. REFERENCES	21

Appendix A
Appendix E

I. BACKGROUND

In mid-August 1981 a quality control (QC) hanger inspector discovered a support inspection checklist with his name on it which had been written and signed by someone else. A few days later, August 21, 1981, another QC hanger inspector discovered a Quality Control Investigation Report (QCIR) which he had originated that had been rewritten by another person who had signed his name. Concerns over these "forged" documents and other documentation concerns were received by the NRC as allegations, and this led to the performance of an investigation by the NRC Region II office August 31 - October 1, 1981 at the Bellefonte site.

During the performance of the NRC investigation, another allegation, involving the threat of discharge of a personal services contract employee (job shopper) for reporting the QCIR forgery to the NRC and higher supervision, was received by the NRC. This allegation, along with three others, were addressed in paragraphs I.B.1 through I.B.4 of NRC's Investigation Report Nos. 50-438/81-26 and 50-439/81-26, issued January 11, 1982. That report contained a Notice of Violation citing TVA for apparently improperly discharging the job shopper, Mr. [REDACTED] A [REDACTED] from employment at Bellefonte on September 4, 1981, in violation of Section 210(a), Title II of the Energy Reorganization Act of 1974, as amended (Severity Level III). It also contained a Severity Level VI violation regarding signing of an inspector's name by another individual. No violations were identified on the remaining two allegations referred to above.

The TVA response to the apparent violations was submitted to the NRC February 10, 1982. Regarding the Level III violation, it concluded that the job shopper had been terminated for justifiable reasons and that TVA had not violated the Energy Reorganization Act. The response admitted that the Level VI violation had occurred and stated that a site procedure, BNP-QCP-10.7, had been changed to prevent persons from signing someone else's name. In late June of 1982, TVA was notified by NRC Region II that the TVA response to the Level III violation was not acceptable and that NRC required further information on the matter.

On July 2, 1982 the Nuclear Safety Review Staff (NSRS) was requested by representatives of OEDC and POWER to independently investigate the circumstances and facts associated with the dismissal of the personal services contract employee and the resultant level III violation, and to draw conclusions based on the investigation. A formal request was made by the General Manager July 6, 1982 (reference GG). The investigation team was assigned July 2, 1982 and the investigation conducted July 6-22, 1982 at the Bellefonte site and TVA offices in Knoxville.

II. SCOPE

The NSRS objective was to independently investigate the facts associated with the termination of services of the job shopper employee and the resultant level III violation and to draw conclusions based on that investigation. The scope also included a review and discussion of personnel practices and procedures for contract employees.

The following actions were taken in the course of the investigation:

- Approximately 190 manhours were expended by the investigators at the site and Knoxville offices conducting interviews and reviewing records and other documentation.
- Interviews were conducted of 30 persons involved at the site (three by telephone).
- Twenty signed statements were received based on the interviews.
- A review was performed of available quality records and other documents involving the matter, including those necessary to establish a chronology of events or scenario (see Appendix B).
- A review was conducted of TVA personnel practices and procedures for job shoppers. Also policies and procedures for handling of concerns and allegations were reviewed and discussed.

The investigators confirmed that BNP-QCP-10.7 had been revised to prevent persons from signing someone else's name (Level VI violation). Otherwise, the investigation scope was limited in that only one of the four issues or allegations addressed in the NRC investigation was covered in the NSRS effort. This limitation was imposed because the NRC apparently had concerns with the response to the Severity Level III violation only. Also, time available for conduct of the investigation was limited. Practical restraints existed due to the time lapse and high turnover rate in the Hanger Engineering Unit (HEU) at Bellefonte since the event.

III. CONCLUSIONS AND RECOMMENDATIONS

The following paragraphs contain conclusions drawn from information gathered during the investigation. If applicable, recommendations immediately follow the conclusion statement. Recommendations are made on those matters which NSRS believes need management attention and action.

A. Conclusions Regarding ^{MAA} [REDACTED] s Work Performance, Working Relationships, and Termination

1. Inspection Rate

Based on available data and other information, the number of inspections performed was average with the possible exception of two Saturdays. (See paragraph IV.A.2 for details.)

2. Quality of Inspection

The consensus of those interviewed was that his knowledge of hangers was very good and that his inspection work was above average. (See paragraph IV.A.2 for details.)

3. Ability to Document Inspection Results, Communicate Clearly

Coworkers, including problem solvers on the 1st and 2nd shifts, were essentially unanimous in stating that [redacted] A's written work was adequate. On the other hand, supervisors on both shifts, combined with those in the records group, were evenly split on this matter. (See paragraph IV.A.2 for details.)

4. Relationship with Others

Generally, all first shift interviewees stated that [redacted] A was difficult to work with. The majority of second shift interviewees stated that there were few problems, if any, in working with him. (See paragraph IV.A.3 for details.)

5. Reasons for Termination

The services of the service contract employee were terminated for justifiable reasons including the failure to follow instructions; creation of undesirable working relationships, including threats to other employees; certain instances of low productivity; and getting on the "wrong side" of his immediate supervisor. This action was found to be quite consistent with site practices and policies regarding job shoppers. (See paragraphs IV.A.6 and IV.C for further details.)

B. Other Conclusions

1. R-82-16-BLN-01, Lack of Documentation of Document Review Effort

As part of the evaluation and disposition of the QCIR rewriting problem, QCIR 12,486 required review of all QCIRs previously written by HEU in 1981 and documentation of the results of the review. As of July 15, 1982, the documentation of this effort had not been located. Lack of documentation is contrary to BNP-QCP-10.26, R4.

NOTE: A completed QCIR was forwarded to NSRS August 3, 1982, but documentation still did not appear to be complete.

Recommendation

The full review process actually conducted should be documented as required. If this is not possible, the review should be repeated and documented to assure that all instances of rewriting have been accounted for and dispositioned. (See paragraph IV.A.8.b for details.)

2. R-82-16-BLN-02, Inconsistent Administration of Contract Employees

Interviews and documentation reviewed revealed inconsistencies in the administrative handling of contract employees, especially in the details by which an individual's services are terminated. These inconsistencies leave TVA vulnerable to abuses of the intent of the Energy Reorganization Act.

Recommendation

Formalize in prescribed procedures administrative controls required for evaluating contract employees' job performance and for imposition of disciplinary measures including termination. These procedures should be OEDC wide as TVA may be vulnerable to abuses of other "whistle blower" statutes. These procedures should be coordinated with the Office of the General Counsel and the Division of Personnel. (See paragraph IV.B.1 for details.)

3. R-82-16-BLN-03, Potential for Bias in Investigating Employee Concerns

Employee concerns/differing opinions are investigated in accordance with BLN-QCP 10.35 by the unit most involved with the concern. This practice impedes development of objective, unbiased results, and may explain, in part, employees' preference in voicing concerns to the NRC.

Recommendation

Revise BLN-QCP-10.35 to incorporate guidelines for a higher degree of independence in review of employee concerns/differing opinions. These guidelines should be directed toward:

- a. Use of an existing independent or more impartial organization to investigate employee concerns/differing opinions, such as the site QAU or CONST QA Manager (ACE) [unless those organizations are involved in the concern].
- b. Assure that all employees are familiar with the change to BLN-QCP 10.35 by documented training. (See paragraph IV.B.2.a for details.)

4. R-82-16-BLN-04, Lack of Supervisory Training for Group Leaders

Personnel interviews revealed a lack of supervisory training for group leaders within the HEU.

Recommendation

A formal supervisory training program should be developed

and implemented to address topics such as general supervisory practices, authorities and responsibilities, and TVA policies on expression of staff views or differing opinions. This program should be project and division wide. (See paragraph IV.B.3 for details.)

5. R82-16-BLN-05, Lack of Awareness of TVA CODE II, EXPRESSION OF STAFF VIEWS

Interviews revealed a general and uniform lack of awareness of TVA CODE II EXPRESSION OF STAFF VIEWS and the role of the Nuclear Safety Review Staff (NSRS) in resolving employee concerns relating to safety or quality among nonsupervisory personnel.

Recommendation

Increased training/indoctrination efforts are required to ensure that employees are aware of and utilize procedures which implement TVA policies concerning expression of staff views. These efforts should be extended to all TVA nuclear plants. (See paragraph IV.B.4 for details.)

6. R-82-16-BLN-06, Need for Independent Investigation and Documentation of Significant Matters

Neither of the efforts expended by HEU supervision or OGC in evaluating/reviewing the situation involving termination of the personal services contract employee could truly be characterized as investigations in the classical sense.

Recommendation

Significant or controversial situations such as potential violations of Severity Levels I, II, or III should be investigated by persons independent of the organization involved in the situation. Such investigations should be indepth examinations of all pertinent issues involved. Additionally, formal reports should be issued for management information and action. (See paragraph IV.B.5 for details.)

IV. DETAILS

In mid-August 1981, two quality control (QC) hanger inspectors in the Bellefonte HEU discovered that QA documents had been "forged." This and other concerns regarding documentation within the unit led to an investigation by the NRC August 31 - October 1, 1981. During the course of the NRC investigation, a job shopper [REDACTED], was terminated. This individual alleged that he had been threatened with his job for having discussed quality concerns with the NRC. HEU management stated that the reasons Mr. [REDACTED]'s services were no longer justified were primarily low productivity and QC documentation errors.

This allegation, along with three others, were addressed in NRC's Investigation Report Nos. 50-438/81-26 and 50-439/81-26, issued January 11, 1982. That report contained a Notice of Violation citing TVA for apparently improperly discharging the job shopper from employment at Bellefonte on September 4, 1981, in violation of Section 210(a), Title II of the Energy Reorganization Act of 1974, as amended.

The TVA reponse to the apparent violation was submitted to the NRC February 10, 1982. It concluded that the job shopper had been terminated for justifiable reasons and that TVA had not violated the Energy Reorganization Act. The reasons given for termination were overall job performance, including lack of satisfactory productivity; creation of undesirable working relationships with others; and paperwork deficiencies, such as inspection reports that were sometimes illegible, ungrammatical, and unclear.

In late June of 1982 the NRC informed TVA that the response was not adequate and that additional information was required. On July 2, 1982, NSRS was requested to independently investigate the circumstances and facts associated with the dismissal of the personal services contract employee and the resultant level III violation, and to draw conclusions based on the investigation. The investigation team was assigned July 2, 1982 and the investigation conducted July 6-22, 1982 at the Bellefonte site and TVA offices in Knoxville.

During the investigation, interviews were conducted of some 30 persons still at Bellefonte or who had worked at Bellefonte in the HEU during the August-September 1981 period (see Appendix A). Interviews of those people no longer working at Bellefonte were conducted by telephone. Persons interviewed included project management; HEU supervision, including group leaders; and hanger inspectors and problem solvers who had worked at Bellefonte during the time frame that Mr. A [REDACTED] was assigned there. Signed statements documenting the essence of conversations held during the interviews were received from 20 individuals.

Available quality records and other documents which were perceived as possibly containing information on the matter were reviewed and discussed. These documents are listed in Section V, References. Documents reviewed included informal ones, which were found to be helpful in establishing a chronology of events or scenario (see Appendix B).

TVA procedures for handling personal services contracts (reference R) were reviewed and discussed. Additionally, the practices and policies for handling of job shoppers at Bellefonte were discussed.

The TVA program for handling differing staff opinions or expressions of concern regarding quality or safety was reviewed and discussed. This included TVA CODE II EXPRESSION OF STAFF VIEWS as well as OEDC and site implementing procedures (references U, V, and X.8).

Due to the nature of the issue, the investigators attempted to learn as much as possible within the time frame utilized about the job shopper, Mr. A [REDACTED], including the quantity and quality of his

work, his relationship to others, and other circumstances pertinent to the release of his services. It should be noted that Mr. [REDACTED] A did not wish to discuss the matter in any detail with the investigators.

Based on the information obtained during the investigation, the following findings and conclusions are made:

A. Findings Relating to the Job Shopper's Performance and Termination

1. Mr. [REDACTED] A's Work Experience and Site History

Mr. [REDACTED] A was employed at another nuclear plant for about eight years as a mechanical and welding quality control inspector immediately prior to being assigned to Bellefonte as a job shopper. He was assigned to Bellefonte May 28, 1981 as a hanger inspector through H. L. Yoh Company (contract TV53764A) and was certified as a hanger inspector per Bellefonte Quality Control Procedure (BNP-QCP) 6.17 on July 9, 1981. He was assigned to the second shift inspection group.

2. Mr. [REDACTED] A's Inspection Rate and Quality of Work

a. Inspection Rate

Based on available data and information obtained from those who knew him and worked with him, the number of hanger inspections performed was average to above average with the possible exception of two Saturdays. The investigators obtained information which revealed that a far larger number of inspections could have been performed by Mr. [REDACTED] A and his team member on one of those Saturdays.

b. Quality of Inspection

The concensus was that [REDACTED] A's knowledge of hangers was very good and that, technically, his inspection work was above average.

c. Ability to Document Inspection Results and Communicate Clearly

Coworkers, including problem solvers on the first and second shifts, were essentially unanimous in stating that [REDACTED] A's written work was adequate.

Supervision on both shifts, combined with those in the records group, were evenly split on this issue; first shift supervisors (includes group leaders) were quite negative on this issue, whereas second shift supervision had no problems with his written work.

3. ^A [REDACTED]'s Relationship With Others

a. Supervision

Both members of first shift supervision having comments stated that he was difficult to work with. All three responders from second shift supervision stated that there were no problems getting along with him.

b. *Coworker* Inspectors and Problem Solvers

"Both first shift persons who had much interface said he was difficult to work with. Those from the second shift who had worked with him were evenly divided on this question.

The investigators noted that the vast majority of persons interviewed described ^A [REDACTED] as being hard to get along with (e.g., bully, hard-headed, arrogant, or similar statements). Many of these descriptions came from those who had also stated that they had gotten along well with the individual.

4. Nature of Job Shoppers' Concern

In mid-August 1981 (exact date unknown) Richard Matkin, an H. L. Yoh contracted hanger inspector, discovered a support inspection checklist with his name on it which he had not prepared. He pursued this with his second shift group leader and discussed it with the individual responsible. He appeared to drop the issue for the time being.

On August 21, 1981, ^A [REDACTED], normally assigned to work with Matkin, discovered a QCIR which he had originated that had been rewritten and signed (his name) by someone else. Events which ensued are discussed in the following paragraphs.

5. ^A [REDACTED]'s Pursuit of Concerns

a. Events of the Evening of Discovery (8/21/81)
(8/18/81 - per ^A [REDACTED] only)

^A [REDACTED] became very upset about the forging of his name and took the problem to the second shift group leader, W. R. Brown, who took him to the second shift Assistant Construction Engineer (ACE), P. L. Mercer.

^A [REDACTED] stated that the matter would be taken to the FBI, his lawyer, and bondsman. As noted in his complaint to the Department of Labor (DOL) ^A [REDACTED] was also upset that the contents of the QCIR were different, but his main concern appeared to be that someone had forged his name. Based on the contents of the original QCIR, as recalled by ^A [REDACTED], and the rewritten document,

the investigators concluded that the rewriting did not result in an adverse impact on quality or safety.

Mercer discussed the problem with [REDACTED] and explained TVA's policy on differing staff opinions. He tried to dissuade [REDACTED] from going to the FBI, but rather to use the TVA system for handling such concerns. Mercer called F. E. Gilbert, Construction Engineer, at home to tell him of [REDACTED]'s concern and that [REDACTED] wanted to take the problem to the FBI. Gilbert misunderstood who [REDACTED] wanted to talk to and cautioned Mercer not to interfere with his going to the NRC. Mercer clarified that it was the FBI, not the NRC, that [REDACTED] wanted to talk to. Gilbert stated that he would look in to the matter on Monday, August 24, 1981.

b. Meeting on August 24, 1981

A meeting was held on this date with Gilbert, Mercer, Matkin, [REDACTED], D. D. Horn, D. R. Gillies, and G. L. Portwood attending. Per an organizational chart at that time, Horn was first shift inspection group leader and Acting Hanger QA Inspection Supervisor. Gillies was the Field Hanger Engineering Supervisor and Acting Assistant Unit Supervisor. Portwood was the QA Documentation Group Leader (See Appendix A).

The issue of signing someone else's name to a document was discussed. Also the writing ability of inspectors was discussed in that this was the reason given for rewriting of the documents. Regarding the writing ability of inspectors, Gilbert stated that ". . . if inspectors can't write properly, they should be trained or transferred to another job." At the time he incorrectly thought the two inspectors were direct TVA employees.

After the meeting, Horn talked to Matkin and [REDACTED] and told them they were troublemakers for not following the chain of command by trying to take their problem to the NRC and higher supervision instead of coming to him. [REDACTED] explained he didn't want to go to the NRC. Horn insisted that they follow the chain of command. [REDACTED] recalled Horn saying that he didn't like troublemakers and that if they could not handle the job he would have to let them go. [REDACTED] also recalled that Horn used the words "fire you."

J. Giacalone, who heard parts of the conversation, did not recall NRC being mentioned. To him, the essence of what Horn said was that they should go on about their business and do what they were told or they would be replaced.

Horn wanted to know why they didn't go to him first instead of Mercer. A [REDACTED] said he didn't think it would have done any good to come to Horn based on Matkin's experience. Per Horn, the purpose of the discussion was to cover following "chain of command" which he interpreted to mean following supervisor's instructions; therefore, according to Horn, A [REDACTED] didn't follow the chain of command when he took the forged signature to Mercer.

Later that day, or the next day, Brown informed Mercer that Matkin and [REDACTED] had been threatened by Horn because they had gone to the NRC. Mercer later told them an SE-6 group leader could not fire them and offered to give them the name of a QA man in Knoxville to call. He again explained TVA policy forbidding intimidation or retribution toward anyone who expresses a quality concern.

c. Meeting on August 28, 1981

Mercer was approached by A [REDACTED] before dinner who told him he suspected Horn was going to fire him for going to the NRC. Horn and T. M. Brothers, Hanger Engineer Unit Supervisor, had talked to [REDACTED] and Matkin that day. Mercer called Gilbert who got Brothers to come in. A meeting was held with Brothers, Horn, Brown, Matkin, A [REDACTED], Giacalone, and Mercer attending.

The discussion centered around the alleged threat by Horn over going to NRC. Giacalone stated he had heard parts of the threat made by Horn and related what he had heard. Matkin and [REDACTED] felt too much pressure was being put on them so as to hamper their work. Brothers said they were under no threat about NRC, but because their productivity wasn't high enough. Brothers explained the TVA policy of investigating quality concerns without intimidation or reprisals toward those who raise the concerns.

Brothers requested Matkin and A [REDACTED] to write down their concerns so he could give a written answer and gave them time to do so. Neither did on this date. A [REDACTED] never did, saying he wanted to discuss it with his lawyer. (Both provided brief statements on September 2, 1981 but these did not discuss the concerns.) Matkin later wrote that he was satisfied with the explanations given and was no longer concerned about threats.

Brothers stated that starting Monday, August 31, Matkin and [REDACTED] were to report to his office at the beginning of each shift and discuss the number of hanger inspections performed the previous shift.

d. Monday, August 31, 1981

Matkin and ^A [redacted] stopped by Brother's office to report on number of hangers inspected as previously requested on August 28. Brothers was disappointed they had not provided their concerns in writing and still wanted written notes of their concerns so they could be answered or wanted a note saying they were no longer concerned about acts of reprisal. (Gilbert later cautioned Brothers that this request might not be enforceable).

Matkin stayed behind for a private discussion with Brothers. Matkin contacted Horn again also (date unknown). Matkin related that he was satisfied with explanations given and that he felt he was being dragged into a situation that he had no part of.

Brothers asked Brown why the two were allowed to go back to work on August 28, 1981 without providing a statement. On September 1, 1981, Brothers also asked Mercer why the two were allowed to go back to work on August 31, 1981 without providing statements. Brothers was not satisfied with either of their responses. Mercer said he would try to get the statements.

e. Wednesday, September 2, 1981

Statements written by Matkin and ^A [redacted] were received by Brothers, who found neither of them suitable, especially ^A [redacted]'s, in that that they did not address their concerns as requested. ^A [redacted]'s note merely confirmed that a meeting had been held on August 28 and that the problems of intimidation by Horn had been discussed.

f. Other Discussions of Problems

Several discussions were held over several days (August 28 - September 1) by Brothers and Horn with ^A [redacted] and Matkin and also with NRC concerning the entire QC problem.

g. Termination of ^A [redacted]

^A [redacted] was told by Brothers on September 4, 1981 that he was being terminated because his work attitude and working relationship with the group leaders and fellow coworkers had deteriorated to the point where continued employment could not be justified.

A memorandum from Brothers to Gilbert documenting the termination and reasons for it was issued September 5, 1981 (reference DD.1).

6. Supervision's Problem With [REDACTED] ^A

The following is a succinct listing of the problems which HEU supervision, primarily Brothers and Horn professed to have with [REDACTED] ^A. The investigators' observations are given for each problem area.

a. Productivity not Entirely Satisfactory

Horn had documented notes on verbal warnings/discussions of numbers of inspections conducted in his diary on August 17, 22, 24, 25, and 28, 1981. As discussed in paragraph IV.A.2.a, there were two known dates of low productivity which apparently preceded August 17. It could not be conclusively ascertained whether either of those two dates were the subject of conversations noted above.

b. Paperwork Sometimes Illegible, Ungrammatical, and Unclear

^A The investigators could find very few, if any, of [REDACTED]'s documents in original form, due to the practice in HEU of discarding the originals after rewriting. The investigators' efforts were frustrated, in part, due to inability of HEU supervision to locate the documentation of their document review efforts (see paragraph IV.A.8.b). Therefore, an independent assessment of this issue was not possible.

c. Creation of Undesirable Working Relationships, Including Threats of Bodily Harm

Approximately five individuals interviewed stated that they had heard threats made to other persons by [REDACTED] ^A. These were mostly of a general nature in that the recipients of the threats were not always known. Also, most of these threats did not appear to be job related; one exception was threats directed toward the HEU QA Documentation Group, apparently because of negative feedback on paperwork from that group.

d. Refusal to Follow Instructions

The following are examples of what HEU supervisors believed to be legitimate instructions which McCollough did not follow:

- (1) Not documenting concerns over threats and intimidation as requested by Brothers on August 28.
- (2) Not reporting in to Brothers to discuss productivity each day the week of August 31 as had been requested on August 28.

A

It should be noted that [REDACTED]'s statement to DOL revealed that he believed that Brothers had stated that reporting in was no longer necessary on August 31. This conflicts with the statement provided by Brothers to NSRS and with other information obtained.

- (3) Not bringing the forged QCIR to Horn for action as requested on August 21.

7. Group Leader Horn's Relationship to Other Employees

Most responders indicated that they got along fine with Horn, although some indicated this was not always the case. Supervision stated that he was uniformly hard on all inspectors in the past. They also stated that he had a negative attitude toward job shoppers at one time.

8. Subsequent Actions

a. Reprimand

A formal reprimand was issued September 4, 1981 to the individual who signed [REDACTED]'s name in such a manner that it appeared to be original.

b. R-82-16-BLN-01, Document Review Effort

As a result of the first meeting on August 24, 1981, the HEU was instructed by Gilbert to review prior documents to determine the extent and nature of the problem. This review was initiated by issuance of QCIR 12,486 on August 27, 1981 and nonconformance report (NCR) 1578 on August 26, 1981. The QCIR dealt with looking at documents that had been rewritten to determine the effects. NCR 1578 controlled the analysis of the forgery problem. NCR 1578 was determined to represent a significant condition adverse to quality but was not reportable to the NRC under 10CFR21 or 10CFR50.55(e). At the conclusion of the site portion of the investigation, neither the QCIR nor the NCR had been closed (July 15, 1982). The investigators were informed that all QCIRs previously generated by HEU during 1981 were included in the review effort. The review revealed that numerous documents (greater than 80) had been rewritten or corrected by someone other than the author, but that no quality information had been lost.

On July 8, 1982 the investigators requested that the documented results of the review effort be made available for their review. As of July 15, the documentation had not been located by HEU supervision. There appeared to be some question as to whether the review effort had been documented, even though QCIR 12,486

required that such documentation be performed. Project management was informed that lack of documentation of the review effort, if none indeed existed, appeared to be contrary to site procedures.

BNP-QEP 10.26, "Quality Control Investigation Reports," requires in step 6.8, that "Engineering unit representatives shall initiate necessary activities and inspections per instructions or inspections assigned by the QCIR disposition" Step 6.3.2 of QCF 10.26 stipulates that "When a change is made to a QCIR the QCIR shall be revised and receive the same review and distribution as the original."

The disposition given in QCIR 12, 486 was to review all QCIRs initiated after January 1, 1981 for this condition (rewriting by someone other than the originator). During the review, three variations or conditions of rewriting were to be noted. The log numbers of all QCIRs reviewed were to be categorized per one of the three conditions and listed as an attachment to the QCIR.

In that no changes to the recommended disposition were evident, the investigators expected to see a listing of all QCIRs reviewed along with a tabulation of those exhibiting one of the three conditions specified. As noted previously, at the conclusion of the site portion of the investigation, no documentation had been found (R-82-16-BLN-01).

NOTE: On August 3, 1982, the HEU Supervisor transmitted a completed copy of QCIR 12, 486 to the investigators. The documentation therein did not appear complete in that it stated that only 115 QCIRs were reviewed in analyzing the problem per the recommended disposition. In that several hundred QCIRs were generated by HEU from January 1, 1981 to August 27, 1981, it would appear that either a complete review was not conducted or not documented. Either condition appears contrary to BNP-QCP 10.26.

B. Findings on Related Matters

1. R-82-16-BFN-02, Inconsistent Administration of Contract Employees

The investigators attempted to determine the extent to which the administration of job shoppers by TVA is documented by policies and procedures and the degree of conformance to those procedures in this case.

TVA CODE III PERSONAL SERVICES, May 2, 1980, describes the responsibilities and authority of TVA organizations engaged

in securing personal services contracts, but provides no details regarding the administration of individual contractors.

In an interview with the Division of Construction (CONST) Personnel Officer it was learned that the only written policies or procedures used in administratively dealing with contract employees are the contract requirements. The contract between TVA and H. L. Yoh stipulates that TVA has the right at any and all times, upon written or oral notice, to have any of contractor's employees removed from assignment under the agreement. This provision was implemented at Bellefonte quite literally; that is, a job shopper could be discharged at any time, without a documented case showing just cause. This policy was uniformly expressed by all supervisors interviewed at the site. The Personnel Officer stated that based on his experience, performance expectations were higher for job shoppers than for TVA employees, that TVA supervisors were less tolerant of job shoppers' mistakes, and the termination of [REDACTED] was handled routinely by his office. He acknowledged that subsequent to A [REDACTED]'s termination, OGC had recommended that termination for cause of job shoppers (with the exception of unexcused absenteeism) be documented. CONST Personnel Office had attempted to implement this unwritten policy and the personnel office was under the impression that the sites were in compliance. Lack of documentation of reasons for no longer desiring the services of contract employees leaves TVA vulnerable to accusations of discrimination whenever an employee has voiced or voices concerns about nuclear safety or quality.

The practice of terminating a job shopper appeared to vary widely within the HEU. From interviews with HEU supervision, investigators learned that when the decision was made to terminate a job shopper, he was typically called to the supervisor's office approximately 15 minutes prior to end of shift and told he was fired. One job shopper recently terminated was given a written two-week notice by an individual in HEU other than the HEU supervisor. According to the CONST Personnel Officer, TVA personnel cannot fire a contract employee, but must notify the CONST Personnel Officer who will in turn notify the Contractor. The Contractor then removes the employee from the site. This previously unwritten TVA requirement was recently emphasized to all projects in a form 45D dated August 2, 1982 from the CONST Personnel Officer.

NSRS determined that there has been a lack of consistency in the administrative processes whereby job shoppers are controlled, but that some positive steps have been recommended to achieve a degree of consistency. These steps, documentation of details involved in the decision to terminate a job shopper for cause and the requirement that the Contractor, not TVA supervision, actually remove the job shopper from the site, should be prescribed in standard CONST Personnel procedures. Additionally, periodic routine evaluations of

job shoppers performance by TVA supervision should be performed and documented. Implementation of the measures should relieve TVA's vulnerability to potential abuses of the Energy Reorganization Act, as amended, as well as other "whistle blower" statutes.

2. Handling of Persons Who had Expressed Concerns

In an effort to determine site management's attitude and practices towards personnel who had voiced concerns/differing opinions either to TVA or to NRC, the investigators reviewed the file of Employee Concern/Differing Opinion (EC/DO) investigations and received a list of site personnel known or suspected by management of having contacted NRC. Of 22 EC/DOs reviewed, none were identified as having been initiated by or investigated by any member of the HEU. Investigation of EC/DOs were noted, however, to be performed by supervision of the involved unit.

Of 17 names provided by management of personnel whom had been in contact with the NRC Resident Inspector, one was identified as having been in the HEU.

Additionally, the names of 16 persons who had been terminated for cause were provided by site management. None were contract employees, nor were any identified as having worked in HEU.

From these sources, 22 official site personnel files were selected for review. At the site personnel office, 17 files were actually reviewed in detail. One file had been forwarded to the CONST Personnel Officer as required, and four were identified as contract employees on whom the site does not maintain personnel files.

From the files reviewed it was determined that although there appears to be considerable inconsistency in the termination process, all terminated employees had been terminated for normally acceptable causes (fighting on the job, drunkenness on the job, falsification of time cards, inability to qualify, etc.). There was no evidence in any reviewed file that indicated discriminatory management attitudes or practices directed against employees who had expressed concerns or differing opinions. In fact, two employees had been recently promoted.

Selected "unofficial personnel files" maintained by the Construction Engineer's office were reviewed for evidence of discriminatory practice or attitude. None was discovered.

Selected contract employee personnel files, including those of Matkin and [REDACTED] were reviewed in the CONST Personnel Office in Knoxville. These files were found to contain the job shopper's resume, a TVA supervisor's recommendation for

or against rehiring the employee, and for Matkin only, a performance evaluation. Salary history was available from a computer printout. The recommendations reviewed were signed by the HEU supervisor and recommended against rehiring A [REDACTED] and in favor of rehiring Matkin and others.

No substantive evidence of site management discriminatory or retaliatory practices against TVA or Contractor personnel who identify concerns to site management or the NRC was identified. However, a potential conflict was noted in the requirements for handling EC/DOs per BNP-QCP 10.35.

a. R-82-16-BLN-03, Potential For Bias in Investigating Employee Concerns

The practice whereby investigation of employee concerns initiated per BNP-QCP 10.35 is performed by the cognizant unit may not consistently produce objective results and could, in part, explain employee preference of contacting NRC. A more independent organization, such as the site QAU or site Quality Manager should be routinely used to conduct investigations of EC/DOs, improving both the objectivity and perceived objectivity of the results.

3. R-82-16-BLN-04, Lack of Supervisory Training for Group Leaders

During discussions with Group Leader Horn and others, it became apparent that persons in this type of position had not received any type of training relating to their supervisory roles. While NSRS does not argue with project management's position that SE-type personnel cannot "hire and fire" subordinates, Group Leaders do in fact have other supervisory responsibilities. Therefore, it is recommended that a formal training program be developed and implemented to address issues, such as, but not limited to, the following:

- a. General supervisory practices, including supervisor/subordinate interrelationships.
- b. Authorities and responsibilities of group leaders.
- c. TVA policy related to threats to employees, as part of the overall policy on expression of staff views or differing staff opinions.

4. R-82-16-BLN-05, Lack of Awareness of TVA CODE II, EXPRESSION OF STAFF VIEWS

The investigators found during interviews conducted that there was a general lack of awareness of TVA CODE II EXPRESSION OF STAFF VIEWS and the role of NSRS in evaluating employee concerns relating to nuclear safety or quality

among nonsupervisory personnel interviewed. This, coupled with the high availability of the NRC Resident Inspector, tends to explain in part why the NRC receives far more complaints and allegations than the NSRS. It is noted that the TVA policy on expression of staff views is briefly discussed in the Bellefonte employee orientation program. Also, copies of the CODE II are placed on several bulletin boards at the site. Nevertheless, these measures have not been successful in creating utilization of the process to any extent.

NSRS concludes that increased attention and training efforts are required to ensure that management policies in this area are well known and utilized when appropriate. These efforts should be extended to all TVA nuclear plants.

5. R-82-16-BLN-06, Need for Independent Investigation and Documentation of Significant Matters

As noted in Appendix B to this report, an attorney in TVA's Office of the General Counsel was assigned to follow the matter of A [REDACTED]'s termination following notification from DOL that a complaint had been received. Discussions with the attorney and review of the case file on this matter were conducted by the investigators in order to better understand OGC's involvement in the matter. Also, discussions were held with the attorney who prepared the draft response to the NRC. These discussions revealed that OGC's effort was one of "litigation preparation," that is, their role was to determine what type of case TVA had were the A [REDACTED] termination issue to be litigated. This effort involved discussions with the principals involved, primarily project and HEU supervision, and review of documents provided by the site. Although a considerable amount of information was received and reviewed, OGC did not consider the effort to be an investigation in the classical sense. OGC did not prepare an investigation report.

Regarding the effort of site and HEU supervision in evaluating/reviewing the issue of A [REDACTED]'s termination, the NSRS investigators found that the HEU Supervisor had compiled a large amount of information (see reference DD). This package of information, provided to the OGC attorney on October 16, 1981, provided basically a chronology of events of late August and early September relating to the A [REDACTED] situation. The NSRS investigators acknowledge that considerable effort was made by the HEU Supervisor in compiling this information and documenting what had happened; however, this effort cannot truly be characterized as an investigation either, in that the HEU Supervisor was not independent of the issue but was directly involved in the termination action.

As noted above, the initial response to the NRC notice of violation was drafted by an OGC attorney other than the one

who performed the "litigation preparation." The attorney most involved was not available when the request to draft the response came from CONST/OEDC, although he did review the draft before it was transmitted to the Nuclear Engineering Branch (NEB) for their review and transmittal to the Office of Power (POWER). Reference E requested that Bellefonte provide input to the NRC response for both items of noncompliance in the NRC report (the Severity Level III and a Severity Level VI). Bellefonte provided input for the Severity Level VI via reference D on February 1, 1982. Regarding the level III violation, the investigators were unable to fully determine the exact sequence of events, but apparently OGC was requested to respond to it based on their investigation of the matter in October of 1981. Based on discussions with OGC and OEDC and project management representatives and review of correspondence via form TVA 45D on the response, it was noted that the OGC draft response was coordinated with various groups. It was also noted that there were no substantive comments or changes to the OGC draft by those who reviewed it before it was sent to POWER by NEB.

Based on the information summarized above and the information contained in references given in section VI and Appendix B, NSRS concludes that there was a lack of understanding as to the nature of OGC's investigation of October 1981 and thus OGC's ability to prepare the response to the NRC violation. NSRS further concludes that a formal investigation should be conducted anytime a Severity Level I, II, or III violation is received by TVA from the NRC. Also, investigations should be conducted for matters wherein violations of such severity might be received and for other situations involving unusually significant (quality or safety) or controversial issues. All such investigations should be documented via investigation reports.

Such investigations should be systematic, exhaustive, and indepth examinations of the issues. Also, these investigations should be conducted by a group independent of the organization(s) involved and schooled in the investigative process. Additionally, the investigation findings would be used as the prime input for responses by TVA to the NRC, if required.

C. Specific Conclusions Relative to the Apparent Violation (Level III)

1. Based on the information obtained during the investigation, NSRS concludes that Mr. [REDACTED] was terminated for these reasons:
 - a. Failure to follow what HEU supervisors believed to be legitimate instructions.

- b. He created undesirable working relationships with fellow workers and his supervision.
 - c. Two apparently unproductive days (Saturdays).
 - d. Threats made to other employees.
 - e. It was easy to do so. This action illustrated and was consistent with the site policy regarding termination of job shoppers.
2. NSRS further concludes Mr. ^A [REDACTED] was not terminated due to:
- a. Low productivity in general.
 - b. Inadequate documentation, including legibility, grammar, or overall ability to communicate in writing.
- NOTE: NSRS concludes that ^A [REDACTED] at least should not have been terminated for the reasons in and a and b above, in that available evidence did not substantiate these reasons.
- c. A threat of his going to the NRC.
3. NSRS also concludes that TVA did not violate the Energy Reorganization Act, as amended, in that the personal services contract employee was released for legitimate reasons as summarized in paragraph IV.C.1 above.

V. LIST OF PERSONS CONTACTED

A. Management and Supervision (Including Group Leaders) - Division of Construction

- 1. W. R. Dahnke, Bellefonte Project Manager
- 2. F. E. Gilbert, Construction Engineer
- 3. P. L. Mercer, Assistant Construction Engineer
- 4. T. M. Brothers, Supervisor, Hanger Engineering Unit
- 5. D. R. Gillies, Supervisor, Field Hanger Engineering, HEU
- 6. J. F. Barnes, Supervisor, Quality Assurance Unit
- 7. D. D. Horn, Group Leader, QC Inspection, HEU
- 8. W. R. Brown, Group Leader, Hanger Inspection, HEU
- 9. G. L. Portwood, Group Leader, QA Documentation, HEU
- 10. W. W. Diel, Group Leader, Field Engineering, HEU
- 11. B. T. Castellow, Group Leader, System Engineers, HEU (CDI)

B. Nonsupervisory - TVA and Contract

- 7 Problem Solvers - HEU
- 8 Hanger QC Inspectors - HEU
- 2 QA Documentation Reviewers

- C. CONST Division of Personnel
 - 1. J. M. Raines, Personnel Officer
 - 2. B. Webb, BLN Site Personnel Officer
- D. Office of the General Counsel
 - 1. M. H. Dunn, Staff Attorney
 - 2. R. M. Gutekunst, Staff Attorney
- E. U.S. Nuclear Regulatory Commission
 - J. D. Wilcox, BLN Resident Inspector
- F. OEDC Quality Assurance
 - M. S. Martin, Assistant Manager, OEDC QA
- G. Personnel Contacted/Interviewed by Telephone
 - 1. [REDACTED] ^{M² A}
 - 2. C. R. Matkin
 - 3. J. Giacalone

VI. REFERENCES

- A. NRC Investigation Report Nos. 50-438/81-26 and 50-439/81-26 dated January 11, 1982 (NEB 820121 219)
- B. TVA response to the Notice of Violation in IE Report Nos. 50-438/81-26 and 50-439/81-26 from L. M. Mills to J. P. O'Reilly dated February 10, 1982 (A27 820210 622)
- C. Memorandum from J. A. Raulston to L. M. Mills dated February 10, 1982 providing OEDC response to the violations in IE Report Nos. 50-438/81-26 and 50-439/81-26 (NEB 820210 270)
- D. Memorandum from W. R. Dahnke to R. M. Hodges dated February 1, 1982 providing Bellefonte's response to the level VI violation identified in the NRC report (BLN 820204 111)
- E. Distribution sheet for endorsements dated January 21, 1982 requesting inputs/response on the violations identified in NRC Report 50-438/81-26 and 50-439/81-26 (CONST was to provide input, coordinate with OGC).
- F. Memorandum (form TVA 45D) from H. S. Sanger, Jr. to J. A. Raulston dated February 1, 1982 transmitting draft NRC response (coordinated with W. R. Brown and W. R. Dahnke)
- G. NRC-OIE Inspection Report Nos. 50-438/81-21 and 50-439/81-21 dated October 9, 1981 (NEB 811028 625)

- H. TVA response to Notice of Violation in IE Report Nos. 50-438/81-21 and 50-439/8121 from L. M. Mills to J. P. O'Reilly dated November 9, 1981 (A27 811109 002)
- I. Letter from Lloyd L. Christopher of the U. S. Department of Labor (DOL) to Herbert S. Sanger, Jr., dated October 6, 1981 notifying TVA of receipt by DOL of a complaint alleging discriminatory practices in violation of the Energy Reorganization Act
- J. Letter from Herbert S. Sanger, Jr., dated October 13, 1981 to Lloyd L. Christopher of DOL acknowledging receipt of the October 6, 1981 letter
- K. Letter from Lloyd L. Christopher of DOL to Herbert S. Sanger, Jr., dated November 2, 1981 giving results of DOL investigation of the complaint (draft report)
- L. Letter from Lloyd L. Christopher to Herbert S. Sanger, Jr., dated November 6, 1981 stating that DOL had received a letter of settlement in the case and that DOL was terminating any further action in the matter
- M. Contract No. TV 53764A, contract for personal services with H. L. Yoh Company effective May 4, 1980 (PSS 800507 004)
- N. First supplement to contract TV 53764A dated May 3, 1981 (AAA 810505 006)
- O. Second supplement to contract TV 53764A dated October 8, 1981 (AAA 811007 005)
- P. Third supplement to contract TV 53764A dated March 5, 1982 (AAA 820302 005)
- Q. Memorandum from K. T. Myers to Those listed dated February 16, 1982, "Expiration of H. L. Yoh Contract," effective March 6, 1982 (AAA 820226 001)
- R. TVA CODE III PERSONAL SERVICES, PERSONAL SERVICES CONTRACTS dated May 2, 1980
- S. Memorandum from W. R. Dahnke to all construction employees at Bellefonte Nuclear Plant dated April 9, 1981, "Quality Assurance Program" (BLN 810409 054)
- T. Bellefonte employee orientation/indoctrination film dealing with the quality assurance program for construction
- U. TVA CODE II EXPRESSION OF STAFF VIEWS dated March 6, 1980 (page 1) and April 30, 1981 (page 2)
- V. OEDC Quality Policy Memorandum (QPM) 80-1, "Differing Staff Opinions - Policy," dated November 24, 1980 (QAM 801205 003)

W. Memorandum from W. F. Willis to All TVA Executive Managers, "Expression of Staff Views," November 17, 1981

X. Quality Control Procedures - Bellefonte

1. BNP-QCP 6.17, "Seismic Support Installation and Inspection," R3, Add 1, 6/15/82
2. BNP-QCP 10.7, "Quality Assurance Records," R3, Add 4, 12/5/80
3. BNP-QCP 10.7, Quality Assurance Records, R4, Add 1, 10/23/81
4. BNP-QCP 10.4, "Nonconforming Condition Reports," R8, Add 2, 3/9/81
5. BNP-QCP 10.26, "Quality Control Investigation Reports," R4, 3/20/81
6. BNP-QCP 10.29, "Quality Assurance Training Program," R3, Add 1, 6/1/81
7. BNP-QCP 10.32, "Construction Engineer's Organization," R2, Add 1, 7/30/81
8. BNP-QCP 10.35, "Employee Concerns and Differing Opinions," R0, 2/20/81

Y. Bellefonte Organization Charts

1. Construction Engineer's Organization Chart dated October 22, 1980
2. Hanger Engineering Unit Organization Charts (four sheets) dated July 9, 1982, as received (otherwise not dated)
3. Hanger Engineering Unit Organization Charts (four sheets) circa 3rd and 4th quarter, 1981 (received from OGC)

Z. Bellefonte Nonconforming Condition Report No. 1578 (BLN 810826 113)

AA. Bellefonte Quality Control Investigation Reports 12,298; 11,844; 13,085; 13,821; 12,486; and others identified as having been rewritten by someone other than the originator

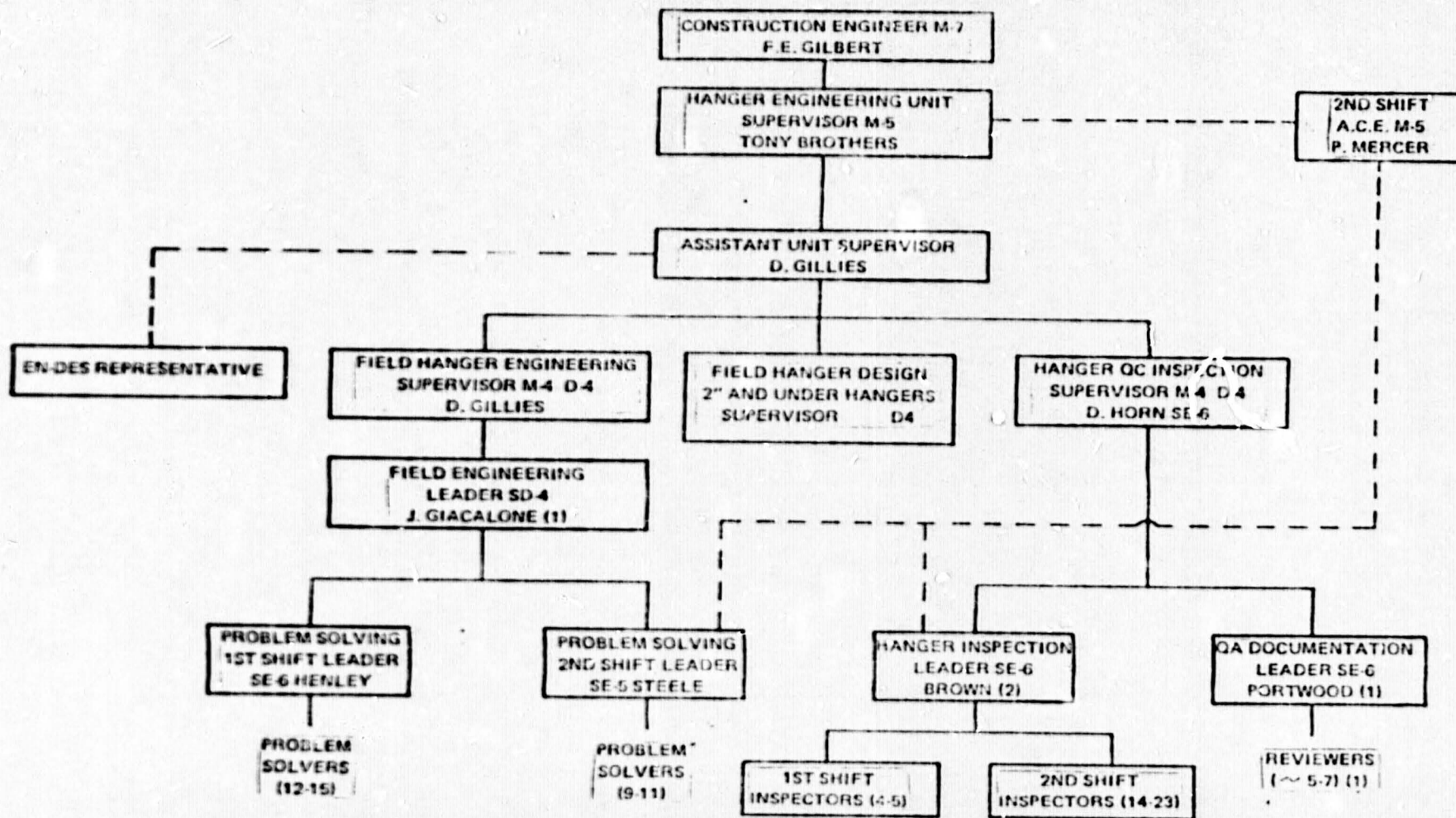
BB. Determination for Reportability Worksheet for BLN NCR 1578 dated August 31, 1982

CC. Selected personnel certification records

DD. Information and Chronology package prepared by HEU supervisor consisting of:

1. Memorandum from T. Brothers to R. Gutekunst dated October 16, 1981, "Bellefonte Nuclear Plant - Termination of Ronald L. McCollough" with attachments A, B, C, D, E, and F
 2. Memorandum from T. Brothers to F. E. Gilbert dated September 29, 1981, "Bellefonte Nuclear Plant - Complaint of Richard Matkin and [REDACTED], Friday, August 28, 1981
A
 3. Typewritten sheet identified as prepared by T. Brothers titled "Circumstances Important in the Consideration to Terminate [REDACTED]"
A
 4. TVA form 45D from [REDACTED] to P. Mercer and T. Brothers dated September 1, 1981, 10:02 p.m.
A
 5. Memorandum from P. Mercer to File dated September 1, 1981, "Job Threatening by Mr. Horn"
- EE. Division of Construction Personnel Files for selected individuals
- FF. Statements from selected personnel interviewed by NSRS submitted on voluntary basis during the period July 6, 1982 through July 15, 1982, including first and second shift supervisors and coworkers
- GG. Memorandum from W. F. Willis to H. N. Culver dated July 6, 1982, requesting performance of an investigation by the NSRS of the circumstances involved in the Level III violation at Bellefonte (GNS 820702 050).

HANGER ENGINEERING UNIT
 ORGANIZATIONAL CHART
 BELLEFONTE NUCLEAR PLANT



APPENDIX A

————— DIRECTION
 - - - - - COMMUNICATION/INTERFACE

(1) = 1st Shift
 (2) = 2nd Shift

APPENDIX B

CHRONOLOGY OF EVENTS

5/28/81

^A [redacted] assigned to Bellefonte as a hanger inspector through H. L. Yoh Company

7/9/81

^A [redacted] certified as a hanger inspector to BNP-QCP 6.17.

8/8/81

Hallman worked with ^A [redacted] Hallman's first Saturday on the job, only did 2 sway strut inspections. Felt ^A [redacted] used him as an excuse not to do more work. ^A [redacted] apparently was assigned to help train Hallman.

8/17/81

Horn asked ^A [redacted] why he was only able to inspect two hangers on the previous Saturday, 8/15. Was told they were waiting on fitters to correct mistake. Told him not to wait, but write a QCIR. Also told him paperwork had too many mistakes.

Approximately mid-August 1981

Matkin discovers an inspection checklist written by someone else with his name on it. Matkin and Brown discuss with Portwood the next day. Per Brown, nothing was said to Horn at this point. Matkin states that Horn knew of the document.

8/21/81

8/18/81 per ^A [redacted]

A few days later ^A [redacted] discovered a QCIR of his that had been rewritten while taking papers from Lollar to Ladd. ^A [redacted] said he would contact his lawyer, bondsman, and/or FBI, and that "they won't get away with this." Steele was present, also Ladd. (No mention made of NRC.)

^A [redacted] went to Brown, was taken to Mercer (^A [redacted] wanted to talk to Brothers). Horn was contacted by phone, told Brown that Brothers had already gone home.

Horn wanted to see the document, get the practice stopped. Mercer explained options/avenues to ^A [redacted], tried to talk him out of going to the FBI and pursue the problem within TVA.

Mercer called Gilbert at home, Gilbert said he would look into the matter on Monday 8/24. Gilbert cautioned Mercer not to try to interfere with ^A [redacted] going to the NRC. Mercer explained that the FBI, not the NRC had been discussed.

8/22/81

Only five inspections were made by Matkin and [REDACTED] on 8/21. Horn gave second warning regarding waiting on fitters.

Monday, 8/24/81, approximately 3:00 p.m.

Gilbert, Gillies, Horn, Portwood, Matkin, [REDACTED], and Mercer attended a meeting in Gilbert's office.

Discussion was of signing someone else's names, writing ability of inspectors.

Regarding writing ability of inspectors, Gilbert stated words to the effect that if inspectors have problems communicating, assign them to other duties. (At the time Gilbert believed the two inspectors were direct TVA employees.)

After the meeting, Horn confronted Matkin and [REDACTED] and told them that they were troublemakers for not following the chain of command and not following instructions. Also discussed mistakes in documentation, reiterated Gilbert's reassignment/transfer statement. Giacalone overheard parts of this conversation.

Monday, 24th or Tuesday, 25th

Brown tells Mercer that Matkin and [REDACTED] have been threatened by Horn because they had gone to the NRC. Mercer later tells them an SE-6 can't fire them, offered to give them name of a QC man in Knoxville to call, explained TVA policy on forbidding intimidation or retribution for employees who express concerns.

Tuesday, 8/25/81

Horn asked why they were only able to inspect 5 hangers. Stated they witnessed shim pulling and that Mercer wanted to talk to them. Horn asked them to leave a note if they were kept from inspecting.

Friday, 8/28/81

Horn asked Matkin and [REDACTED] to explain why only 4 inspections were made. No satisfactory answer. Went to Brothers, who said 4 inspections were unsatisfactory. Starting 8/31, inspections made by this team were to be discussed with Brothers on a daily basis.

Mercer approached by [REDACTED] before dinner who told him he suspected Horn was going to fire him for going to the NRC. Horn and Brothers had talked to [REDACTED] and Matkin that day. Mercer called Gilbert who got Brothers to come in. A meeting was held with Brothers, Horn, Brown, Matkin, [REDACTED], Giacalone, and Mercer attending.

Matkin and [REDACTED] felt too much pressure was being put on them so as to hamper their work.

Discussion of threat by Horn over inspectors going to NRC. Giacalone stated he had heard parts of the threat made by Horn. Brothers said they were under no threat about NRC, but because their productivity wasn't high enough. Brothers explained TVA's policy to investigate matters concerning quality control and to do so without intimidation or reprisal.

Brothers instructed Matkin and [redacted] ^A to write down their concerns so he could give a written answer, gave them time to do so. Neither did on this date. ^A [redacted] never did, saying he wanted to discuss it with his lawyer. (Both provided brief statements on 9/2/81, but these did not discuss the concerns.) Matkin later wrote that he was satisfied.

Monday, 8/31/81

Matkin and [redacted] ^A stopped by Brother's office to report on number of hangers inspected as previously requested on 8/28. Brothers disappointed that they had not provided their concerns in writing, still wanted written note of their concerns so they could be answered or give him a note saying they were no longer concerned about acts of reprisals.

Matkin stayed behind for a private discussion with Brothers. Matkin contacted Horn again also (date unknown). Matkin related that he was satisfied with explanations given and that he felt he was being dragged into a situation that he had no part of.

Brothers asked Brown why the two were allowed to go back to work without providing a statement. Brothers also asked Mercer why the two were allowed to go back to work without providing statements. Brothers was not satisfied with either of their responses. Mercer said he would try to get the statements.

Wednesday, 9/2/81

Statements received by Brothers, neither of them were suitable, especially ^A [redacted]'s.

Thursday, 9/3/81

Matkin reported number of inspections to Brothers and explained why he couldn't report the previous night.

8/28-9/1/81

Several discussions were held over several days with [redacted] ^A and Matkin and also with NRC concerning entire QC problem, by Brothers and Horn.

Friday, 9/4/81

Letter of reprimand issued to Portwood from Gilbert regarding changes to documents and signing another person's name.

^A [redacted] told by Brothers he is being terminated because his work attitude and working relationship with his group leaders and fellow coworkers had

deteriorated to the point where continued employment could not be justified.

Memo issued from Brothers to Gilbert documenting termination on 9/5/81.

Second note written from Matkin to Brothers saying his concerns over job threats and intimidation have been resolved.

10/5/81

^A
[REDACTED]'s letter of complaint dated 10/2/81 received by DOL.

10/6/81

DOL notified TVA by letter of complaint received.

10/13/81

Letter from Sanger to DOL. Acknowledged DOL letter, stated that Gutekunst was assigned to the matter.

10/14/81

45D, Sanger to Willis, noted that DOL letter had been received, Counsel investigating the matter.

11/2/81

Letter from DOL to Sanger giving results of DOL investigation. Complaint substantiated, action required of TVA stipulated. (Was to become a final report in five days unless TVA appealed.)

11/4/81

Settlement reached by ^A
[REDACTED], TVA, and Yoh.

11/6/81

Letter from DOL saying they had received letter of settlement and were terminating any further action on this matter.

1/11/82

NRC issued level III violation. (Report Nos. 50-438 and 439/81-26 based on investigation conducted 8/31/81-10/1/81)

1/21/82

NEB received report (NEB 820121 219). Distribution sheet for endorsements used by NEB (Love) to request response from Dahnke, Sanger. (Dahnke to provide input by 1/29/82, responses to be coordinated with Counsel before submittal.)

Date Unknown

Request made by OEDC and/or project management that General Counsel provide the draft response on the level III violation.

1/25/82

45D from Kimmons to Willis

Notifies Willis of receipt of level III violation, and OEDC plans to deny. Also stated that Counsel was preparing a response to the NRC based on their investigation of the situation at the time of the discharge.

1/28/82

45D from Beasley to Dunn

Stated that the draft response looked very good, please continue to coordinate with Brown. Also, response in final form needs to go to Willis.

2/1/82

45D from Sanger to Raulston

Transmitted draft NRC response, states that it was coordinated with Brown and Dahnke.

Bellefonte responded to the level VI violation through EN DES project manager (BLN 820204 111).

2/5/82

45D Kimmons to Willis

Stated that OGC, with input from Construction, had prepared the final response (attached to memo) based on OGC's investigation completed last fall.

2/10/82

NEB transmitted response to POWER for submission to the NRC (NEB 820210 270).

Mills to O'Reilly (A27 820210 022)

TVA response transmitted to the NRC.

7/1/82

Telephone conference conducted between representatives of POWER, OEDC, OGC, and BLN. Decision made to request NSRS involvement.

7/2/82

NSRS verbally requested to perform an investigation (first contacted on 7/1/82). Kidd and Harrison assigned to conduct investigation.

7/6/82

Willis to Culver (GNS 820702 050)

NSRS formally requested to perform an investigation of the matter.

7/6-22/82

NSRS investigation conducted at site and in Knoxville.

UNITED STATES GOVERNMENT

Memorandum

GNS (2 0820 052

TENNESSEE VALLEY AUTHORITY

TO : H. G. Parris, Manager of Power, 500A CST2-C

FROM : H. N. Culver, Director of Nuclear Safety Review Staff, 249A HBB-K

DATE : August 20, 1982

SUBJECT: SEQUOYAH NUCLEAR PLANT UNITS 1 AND 2 - NUCLEAR SAFETY REVIEW STAFF
REVIEW REPORT NO. R-82-17-SQN - ROUTINE REVIEW OF PREVIOUSLY IDENTIFIED
OPEN ITEMS

Attached is the NSRS report of a routine review conducted at SQN during the period July 6-8, 1982 regarding followup of previously identified NSRS items.

Our review resulted in the closure of 17 previously identified items. There are now no routine review items considered open at SQN. This does not include special review open items, such as fire protection, security, and operator training. No response to this memorandum is required. Your cooperation at the plantsite was appreciated.

The details of all items closed out are provided in section IV of the attached report and correspond to applicable items in section II.

If you have any questions regarding this report, please contact R. W. Travis at extension 4814 in Knoxville.

H. N. Culver

H. N. Culver

RWT:LML

Attachment

cc (Attachment):

G. F. Dilworth, E12D46 C-K
MEDS, W5B63 C-X

NSRS FILE



TENNESSEE VALLEY AUTHORITY
NUCLEAR SAFETY REVIEW STAFF
REVIEW

NSRS REPORT NO. R-82-17-SQN

SUBJECT: TENNESSEE VALLEY AUTHORITY
SEQUOYAH NUCLEAR PLANT - UNITS 1 AND 2
ROUTINE REVIEW OF PREVIOUSLY IDENTIFIED OPEN ITEMS

DATE OF
ONSITE REVIEW: July 6-8, 1982

REVIEWER:

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8/20/82
DATE

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TABLE OF CONTENTS

	<u>Page</u>
I. SCOPE	1
II. CONCLUSIONS AND RECOMMENDATIONS	1
III. STATUS OF PREVIOUSLY IDENTIFIED ITEMS	1
IV. DETAILS	3
V. DOCUMENTS REVIEWED (REFERENCES)	13
VI. PERSONNEL CONTACTED	14

I. SCOPE

This was a routine review of previously opened items of concern to the Nuclear Safety Review Staff (NSRS) which were still open as of the date of this plant visit. The open items reviewed were only those identified during routine reviews. This does not include special purpose reviews, such as operator training, fire protection, etc.

II. CONCLUSIONS AND RECOMMENDATIONS

No new recommendations were made in this review report.

III. STATUS OF PREVIOUSLY IDENTIFIED OPEN ITEMS

A. R-80-05-SQN-03, Nitrogen Cover Gas on Primary Containment Electrical Penetration

The Division of Nuclear Power (NUC PR) responded to this concern and considers it an enhancement which does not warrant further action. The NSRS accepts this conclusion. This item is closed. See section IV.A for details.

B. R-80-05-SQN-05, Additional Operator Training for Hydrogen Control

NUC PR has trained operators to the extent possible and is awaiting generic procedures from the owners' group. The NSRS finds this acceptable. This item is closed. See section IV.B for details.

C. R-80-05-SQN-07, Potential Design and Installation Problems Associated with Flexible Metal Conduit

A review of procedures shows this concern to be adequately addressed. This item is closed. See section IV.C for details.

D. R-80-05-SQN-11, Siltation and Clam Buildup in Systems Utilizing River Water

NUC PR has implemented procedures to adequately address this concern and is continuing research in this area. This item is closed. See section IV.D for details.

E. R-81-05-SQN-01, RHR and Letdown Isolation

NUC PR has revised procedures and implemented training to adequately address this concern. This item is closed. See section IV.E for details.

F. R-81-05-SQN-02, Personnel Statements and Logs

From conversations with plant staff and observations, this concern appears to be under control. This item is closed. See section IV.F for details.

- G. R-81-07-SQN-01, Employee Concern No. 79-12-01, Required Material Not in Sequoyah FSAR - Safety Concern on ERCW Pumping Station

The Division of Engineering Design (EN DES) has written a response to NSRS agreeing with the concern and committing to address the issue in the next revision to the FSAR. This item is closed. See section IV.G for details.

- H. R-81-07-SQN-02, Lack of Maintenance Instructions

NUC PR has written three instructions and a surveillance instruction to fully address the NSRS concern. This item is closed. See section IV.H for details.

- I. R-81-07-SQN-03, Lack of Management Control of Surveillance Program

NUC PR has drafted a revision to the standard practice assigning responsibility to Plant Services for keeping the Surveillance Program in agreement with the latest technical specifications. This item is closed. See section IV.I for details.

- J. R-81-07-SQN-04, Inaccurate Organization Representation

A proposed revision to the technical specification has been submitted to the NRC showing an accurate organizational chart, and the DPMs are being replaced by area plans. This appears to be an adequate response. This item is closed. See section IV.J for details.

- K. R-81-08-SQN-06, Errors and Inconsistencies in Sequoyah Nuclear Plant Instructions

Plant Services is responsible for ensuring that all plant instructions are reviewed every two years and has a system to ensure the review is completed. This item is closed. See section IV.K for details.

- L. R-81-24-SQN-02, Inadequate Trip Switch Identification Utilized in TI-67

NUC PR considers this an enhancement which would not enhance safety and plans no further action. The NSRS accepts this conclusion. This item is closed. See section IV.L for details.

- M. R-81-27-SQN-01, Need to Identify at Affected Procedural Points that a Test Deficiency Had Been Written Against It

NUC PR has revised standard practices to require that the NSRS recommendation be followed. A review of implementation has shown compliance with the revised standard practice. This item is closed. See section IV.M for details.

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- N. R-81-27-SQN-02, Need for Identifying a Data Reviewer When Completing Supportive Data Sheets for Acceptance Testing or for Operational Limitations

NUC PR will comply with the NSRS concern where they consider it appropriate but will not commit to doing it every time. The NSRS accepts this response. This item is closed. See section IV.N for details.

- O. R-81-27-SQN-03, Revision of SQN FSAR Section 14 to Reflect Accurately the Unit 1-Unit 2 Startup Program

NUC PR has a written commitment to address this concern in the revised FSAR. This item is closed. See section IV.O for details.

- P. R-82-01-SQN-01, Unreviewed Safety Question Determination (USQD) Required on SU-7.3.1 Procedural Controls

NUC PR has written a USQD for this concern and NSRS considers this adequate. This item is closed. See section IV.P for details.

- Q. R-82-01-SQN-02, Need to Provide Minimum Nuclear Safety Review Criteria in Evaluating USQDs

Although NUC PR does not wish to write a checklist as recommended by NSRS, the latest revised standard practice for USQDs is much superior to previous revisions. This item is closed. See section IV.Q for details.

IV. DETAILS

All items addressed in this report are previously identified open items. No new areas were reviewed. In the last Sequoyah routine review report, R-82-01-SQN (reference I), all open items were listed for the convenience of the plant staff. NSRS was pleased with the method used by the plant staff in preparing for the NSRS reviewer prior to this review. The method was not in a written procedure but was well organized. If this type cooperation had been received by NSRS personnel on previous reviews, several of the outstanding open items would probably never have been opened. The coordination of the Compliance Staff between the NSRS and other plant sections allowed the reviewer to close out items in a short time that had been open for years.

- A. R-80-05-SQN-03, Nitrogen Cover Gas on Primary Containment Electrical Penetration

The NSRS initially recommended that NUC PR:

1. Ensure that each electrical penetration is pressurized with nitrogen to 15 psig.

2. Assign responsibility and prepare procedures that address how the penetrations and manifold system will be periodically inspected for leaks.
3. Revise SI-157 (reference C.3) to reflect how local leak rate testing of electrical penetrations will be impacted by the nitrogen manifold system.
4. Determine whether or not these findings are reportable to NRC.

During this review NUC PR responded that:

1. Penetrations are kept at 15 psig by the manifold system, but are capable of being filled and capped at each penetration.
2. SI-658 (reference C.7) has been prepared to verify manifold system integrity.
3. The nitrogen manifold system is isolated during the performance of SI-157.
4. The nitrogen manifold system is not safety related or a required system. It is a self-imposed system. The penetrations are capable of being filled with the nitrogen and capped at each penetration. We see no reason to inform NRC.

Upon review of SI-658 data sheets, it was determined that nitrogen pressure tests for the nitrogen manifold were being performed as required. SI-157 states that SI-658 for verifying nitrogen pressure at each penetration "should" be conducted. There was no "shall," thus no requirements. The NSRS has determined that the proper level of NUC PR management is aware of all implications of not calibrating each pressure gauge for each penetration. There appear to be no concrete requirements for NUC PR to do more than it is now doing and since this is an enhancement for system reliability, NSRS considers this item closed.

B. R-80-05-SQN-05, Additional Training for Hydrogen Control

NSRS had stated in the initial report that:

"NUC PR's response to NSRS in a memorandum from H. G. Parris to H. N. Culver on this matter should be revised to specify how NUC PR plans to modify the generic hydrogen control procedures being developed by the Westinghouse Owners' Group for dry containments to account for the SQN ice condenser containment design."

In conversations with plant personnel it was determined that the Westinghouse Owners' Group had not addressed the ice condenser containment design. TVA is pushing the group to consider the ice

condenser and the group has committed to modify the generic hydrogen control procedures to incorporate the ice condenser containment. TVA has already scheduled training for operators in hydrogen control procedures and will schedule simulator time when the procedures are completed. Since TVA is actively pursuing this issue with the owners' group and it appears that the plant and NUC PR is doing all it can at this time; this item is considered closed.

C. R-80-05-SQN-07, Potential Design and Installation Problems Associated with Flexible Metal Conduit

From NSRS report R-81-12-SQN the following was reported:

"NSRS discussed flex hose and flexible metal conduit installation practices and procedures with outage and plant staff personnel. Only three flex hoses have been installed by NUC PR, and the revised G-40 was followed since there was no NUC PR procedure. Discussions with outage and plant staff personnel revealed that they agreed with the NSRS reviewer on the need for a written NUC PR instruction. Consequently, NSRS recommended that an instruction for the installation of flex hose be written by NUC PR using the guidelines presented in G-40.

M&AI-6, 'Installation of Conduit and Junction Boxes,' revision 0, November 8, 1979 (reference F), a NUC PR procedure that addressed flexible metal conduit installation methods, has been reviewed by NSRS. It was found to contain most of the guidelines set forth in General Construction Specification G-40, except for details on the minimum bending radius allowed for various sizes of flexible metal conduit. Consequently, NSRS recommends that NUC PR revise M&AI-6 to include the minimum bending radius criteria listed in G-40. This is necessary to ensure adequate seismic installation."

Upon review of revision 2 of M&AI-6 it was determined that all NSRS concerns have been met. This item is closed.

D. R-80-05-SQN-11, Siltation and Clam Buildup in Systems Utilizing River Water

NSRS initially recommended that NUC PR should:

1. Expedite the completion and implementation of their proposed heat exchanger performance and preventive maintenance programs for the heat exchangers that use river water.
2. Expedite the development of a schedule for the timely implementation of the ERCW piping changeout authorized by ECN L-5009.

From R-81-12-SQN, NSRS recommended that NUC PR should:

3. Complete SI 608.1 which addresses the inspection of ERCW piping for corrosion products and clam accumulations.

4. Determine if procedures will be written to address the use of flow and temperature measurements instead of visual inspection as a method of detecting clams.
5. Complete development of their preventive maintenance program for SQN.

From conversations with plant personnel item 3 was closed in NSRS report R-82-01-SQN. During this review, it was determined that SI-566 (reference C.5) has been written and performed once and will be performed again next spring. SI-566 was reviewed and considered adequate. This completes items 1 and 4. For item 5, the preventive maintenance is one of an ongoing nature. What is now being done may or may not be adequate. NUC PR appears to be expending a full effort in this area. NSRS will continue to monitor this effort but it considers this item closed. For item 2, TVA has a written commitment to the ERCW piping changeout and NSRS considers this item closed.

E. R-81-05-SQN-01, RHR and Letdown Isolation

In the initial report on this subject it was stated that:

"NSRS recommends that the EOIs should be updated to address LOCAs while on RHR cooling. In particular, the isolation of letdown and RHR hot leg suction from the RCS should be accomplished to prevent additional draining of the RCS and possible cavitation of the RHR pumps. Since the operators failed to recognize the need to do this, we also recommend additional operator training on LOCAs while on RHR cooling."

From R-81-12-SQN the following was reported:

"During this review period the NSRS reviewer discussed NUC PR's response with the SQN Operator Training Officer. The operators had received training on the event immediately after the spray event during their weekly onsite training sessions. The NUC PR report was discussed in depth. In addition, during the second week of the requalification program, all of the operators received additional classroom instruction and simulator training on the event. Finally, plant procedures are being revised to specify the required operator actions during a LOCA while on RHR cooling.

This item remains open pending completion of plant procedure revisions."

During this review EOI-0, revision 8 (reference G), was reviewed and it appears to adequately address response to a LOCA while in the RHR mode. According to plant personnel, the required training has been given in the use of this revised procedure.

This item is closed.

F. R-81-05-SQN-02, Personnel Statements and Logs

From R-81-05-SQN it was stated:

"NSRS recommends training for the operations personnel and shift technical advisors (STAs) on preparation of detailed logs and statements, especially those involving an accident or incident. Also, we recommend that someone with operations knowledge and authority read each statement and ask for more detail where required before the personnel leave the site after an event. Moreover, NUC PR should consider assigning someone the responsibility of maintaining a log when an event occurs."

From R-81-12-SQN the following was reported:

"In NUC PR's response it was stated that 'the Plant Superintendent and Assistant Plant Superintendent of Operations discussed in detail the spray event with the appropriate Operations personnel and requested additional information and clarification before they left the plant following the event.' It is obvious, as stated in our previous report on this item, that all of the information was not included in the statements. Discussions with the supervisor of the Compliance Staff confirmed this. Consequently, NSRS reiterates the need to use good management practices and sound judgment to ensure accurate records of an event. This is essential to minimize the impact of review/audit groups on the plant staff and especially to be able to recreate the sequence of events after an accident."

After conversations with plant personnel during this review and the witnessing of plant activities over the last year, NSRS concludes that staff members are aware of the significance of obtaining good statements and records and are requiring that these be obtained. This item is closed.

G. R-81-07-SQN-01, Employee Concern No. 79-12-01, Required Material Not in Sequoyah FSAR - Safety Concern on ERCW Pumping Station

In the initial report it was stated that:

"NSRS recommended that EN DES amend the SQN FSAR as previously requested and as committed to by EN DES. Since the barge collision analysis had been completed and since the other recommendations identified in the NSRS report had been addressed in draft FSAR amendments, NSRS felt that completion of the item would not impact unit 2 fuel load and therefore implementation should be completed in a timely manner."

From R-81-12-SQN the following was reported:

"NSRS concurs with the response to our recommendations and with the draft FSAR sections. However, this item remains open pending issuance of amendments 68 and 69 for the SQN FSAR."

After reviewing the EN DES response, NSRS considers this written commitment adequate even though amendment 69 has not been issued. A complete revision of the SQN FSAR is being written and a review of that document could possibly cause the NSRS to reopen this issue. This item is now considered closed.

H. R-81-07-SQN-02, Lack of Maintenance Instructions

In the initial report it was stated:

"The NSRS recommended that an instruction or group of instructions be written by NUC PR for repair and/or replacement of the incore and excore flux monitoring detectors."

From R-81-12-SQN the following was reported:

"NUC PR's response to our recommendation is acceptable. NSRS plans to review the procedures (IMI-92-SRPC, IRIC, and PRIC) when they are received and the newly written SI-671 during a later review period."

The procedures IMI-92-SRPC (reference E.1), IMI-92-IRIC (reference E.2), and IMI-92-PRIC (reference E.3) were reviewed and found to be adequate. From conversations with plant personnel it was determined that the new surveillance instruction was SI-301 instead of SI-671. After reviewing SI-301 (reference C.4) it was found to be adequate. This item is closed.

I. R-81-07-SQN-03, Lack of Management Control of Surveillance Program

In the initial report NSRS recommended that:

1. NUC PR review SQA 41 (reference B.1) and correct it to include all technical specification surveillance requirements.
2. NUC PR assign responsibility for maintaining SQA 41 as a current document in a written program.
3. NUC PR address the NSRS' concerns listed in section V.B.3 of NSRS report R-81-07-SQN.
4. NUC PR reconsider the appropriateness of using SQA 41, a document not reviewed by PORC, as the primary basis for scheduling surveillances.

From R-81-12-SQN the following was reported:

"NUC PR's response to our recommendations did not address the problem we identified. We recommended that NUC PR assign responsibility for maintaining SQA 41 as a current document. NUC PR responded that the QA staff periodically updated SQA 41.

During the initial review the QA supervisor stated that he did not have responsibility for updating or ensuring correctness of

SQA 41 after the first review (by plant QA) which followed issuance of the unit 1 license and technical specifications. Conversations with other section supervisors revealed that they felt no responsibility for ensuring correctness of the entire surveillance requirements listing in SQA 41. Consequently, NSRS does not feel that this item is resolved. Further discussions with the plant staff will be held during a later NSRS review. This item remains open.

Finally, NSRS recommended that NUC PR should reconsider the appropriateness of using SQA 41, a document not reviewed by PORC, as the primary basis for scheduling surveillances. This recommendation still applies after conversations with plant staff. Presently the plant staff is using this document to schedule surveillance testing, as required in SI-1. NUC PR should realize the potential problems of using an unapproved document, especially one that is not controlled for revisions to the Technical Specifications surveillance requirements."

In conversations with plant personnel during this review, it was found that Plant Services now has the responsibility for ensuring that SQA 41 (reference B.1) is correct. SQA 41 is being revised to give full responsibility for cross-checking and updating that document to the Plant Services. The draft of the revised SQA 41 was reviewed and found to be adequate.

Some deficiencies previously identified in SI-128 (reference C.2), SI-3 (reference C.1), and SQA 41 were reviewed and found to have either been corrected in a recent revision or a notation made to change it. The item requiring a change was caused by a recent change in technical specifications which would have deleted part of an SI now being conducted. This item is closed.

J. R-81-07-SQN-04, Inaccurate Organization Representation

In the initial report NSRS recommended that:

1. The SQN FSAR, N-OQAM, DPM N74A20, and the SQN-1 Technical Specifications be revised by NUC PR to be consistent and to depict the current plant organization.
2. NUC PR delete table 13.1-1 of the SQN FSAR, if possible, or change it to list those individuals, and their qualifications, who presently hold positions as key staff specialists.
3. Section 13.1.3.2 of the SQN FSAR and N-OQAM, part III, section 6.1, be revised by NUC PR to require 10 years of responsible power plant experience for the Assistant Plant Superintendent.

From R-81-12-SQN the following was reported.

"This item remains open pending issuance of the revision to chapter 13 of the SQN FSAR and of the revised DPM No. N74A20."

TVA is in the process of rewriting the FSAR and changing to area plans for items presently covered by DPMs. NSRS is dropping this issue with the understanding that a resolution will be made in the revisions. It has also been noted that a revision to SQN Technical Specifications showing actual current plant staffing has been requested from the NRC. This item is closed.

K. R-81-07-SQN-06, Errors and Inconsistencies in Sequoyah Nuclear Plant Instructions

In the initial report NSRS recommended that:

1. SQN procedures and instructions be reviewed in depth as time permits to assure that up-to-date and accurate guidance is provided to plant personnel in a timely manner.
2. The comments in section V.B.6 of NSRS report R-81-07-SQN be evaluated by NUC PR and incorporated, as determined to be appropriate, into the applicable instructions in a timely manner.

From R-81-12-SQN the following was reported:

"NSRS pointed out that if we could find so many problems with a few plant procedures in such a brief review period, then the plant staff should make an honest effort to review and revise all plant procedures in a timely fashion. NUC PR's response indicated that AI-4 should take care of our concern. NSRS is aware of the requirements for procedure preparation, review, and approval as stated in AI-4. However, we feel that it is not being adequately implemented. Consequently, our previous recommendations still apply. NSRS will discuss this with plant staff during a subsequent review."

During this review it was determined that the responsibility for ensuring that all procedures are reviewed periodically belongs to Plant Services. To ensure that each plant procedure is reviewed periodically as required by AI-4 (reference A), a file is kept with a folder for each week listing things to be accomplished that week. Included in the listing are procedures to be reviewed. This appears to be adequate. One problem arose when it was noticed that a review is made of all procedures once every two years. AI-4 states that the review will be every year. There was a draft revision to AI-4 changing "every year" to "every two years" in the plant review cycle. This proposal was reviewed and found to adequately resolve the apparent conflict. This item is closed.

L. R-81-24-SQN-02, Inadequate Trip Switch Identification Utilized in TI-67

In the initial report NSRS stated that:

"The trip switch identification nomenclature in TI-67 is not consistent with current plant switch identification practices. NSRS

found cases where the plant unique identification for trip switches was not being utilized necessitating review of instrument tabulations to correlate vendor-supplied component identification to the corresponding plant switch designation.

The NSRS recommended that the SQN plant staff evaluate TI-67 and other applicable procedures for switch/component identification consistency and usefulness to the plant employee utilizing this information."

This item was considered an enhancement by the NSRS. From conversations with plant personnel, it was determined that this is not a problem for them but the change could cause confusion and that it would probably not be cost effective to add the information requested. This item is closed.

M. R-81-27-SQN-01, Need to Identify at Affected Procedural Points that a Test Deficiency had been Written Against It

The NSRS had stated that completed procedural steps or data sheets are not identified with a unique test deficiency number to indicate a test deficiency had been written against them thereby closing what appears to be an open loop.

NSRS recommended that NUC PR evaluate establishing a policy to annotate test data sheets and procedural steps with the unique test deficiency number at the point a discrepant condition is identified.

During this review it was determined that SQA 44 (reference B.2) had been revised to add a requirement that test deficiencies be identified in the body of the test and on data sheets for any test at SQN. This meets the recommendation made by NSRS. SU 9.1 (reference D) was reviewed for implementation of this practice and was found to be adequate. This item is closed.

N. R-81-27-SQN-02, Need for Identifying a Data Reviewer When Completing Supportive Data Sheets for Acceptance Testing or For Operational Limitations

NSRS concluded that calculations, hand-plotted data, etc., used to support acceptance tests or to provide operational limitation, such as generation of rod withdrawal curves when the moderator temperature coefficient has been determined to be positive, do not reflect directly that the data was reviewed by an independent source.

NSRS recommended that the SQN plant staff evaluate requiring supportive data that aids in meeting acceptance criteria or provides operational limitations to undergo the same program and reviewer signature requirements as normal test instruction data sheets.

The plant staff considered the NSRS recommendation. Plant personnel will not commit to requiring this independent review and signoff but is performing it where it is deemed appropriate. Plant personnel do not think it should be required for machine-plotted graphs. Since this was an NSRS enhancement, the item is closed.

O. R-81-27-SQN-03, Revision of SQN FSAR Section 14 to Reflect Accurately the Unit 1-Unit 2 Startup Programs

NSRS reported that NRC apparently has mistakenly amended SQN FSAR prior to Licensing's approval of TVA's recommended FSAR revisions.

NSRS recommended that NUC PR revise the SQN FSAR to accurately reflect the unit 1-unit 2 Startup Test Programs as described in NSRS report R-81-27-SQN, section IV.B.2.c.

NUC PR responded in a memorandum from H. J. Green to H. N. Culver (reference J) that the SQN FSAR is presently being updated as required by 10CFR50.71(e). As part of this update, chapter 14 will be changed to accurately reflect both the preoperational and startup test programs for both units 1 and 2.

NSRS considers this adequate. With the written commitment, NSRS is closing this item. If, after the updated FSAR is issued and the revision is less than adequate, the issue could be considered again. This item is closed.

P. R-82-01-SQN-01, Unreviewed Safety Question Determination Required on SU-7.3.1 Procedural Controls

In a memorandum from H. J. Green to H. N. Culver (reference K), NUC PR responded to this concern. The NSRS considered this response adequate. An USQD was written. The USQD would have been written anyway using the latest SQA 119 (reference B.3) dated June 30, 1982, since the test in question was described in detail in the FSAR, Table 14.1-2, part III. SQA 119 states:

"An 'instruction' is described in the FSAR if the specific practice or method being changed is delineated in FSAR text. Just because the title of an instruction is mentioned in the FSAR does not mean the practice or method is described. For example, suppose the FSAR said that a procedure on Calibration of Sump Level Indicators must be in place before licensing but gave no details on the calibration method, a change to this instruction would result in B (1) being marked 'No'. Suppose that the FSAR said that the Plant Superintendent will be immediately notified of the receipt of new fuel and a revision was made in the FHI to say the Shift Engineer would be notified. In this case, B (1) would be marked 'Yes'."

Using this criteria, the USQD should be written. This item is closed.

Q. R-82-01-SQN-02, Need to Provide Minimum Nuclear Safety Review Criteria in Evaluating USQDs

In a memorandum from H. J. Green to H. N. Culver (reference K), NUC PR responded to this concern. NSRS also reviewed SQA 119 (reference B.3) dated June 30, 1982 and compared it with SQA 119 dated May 28, 1982. The latest revision is a great improvement over the previous version. Much more guidance is given thus making it much easier for someone using it to perform adequately. This item is closed.

V. DOCUMENTS REVIEWED (REFERENCES)

- A. Administrative Instruction, AI-4, "Plant Instructions - Document Control," R37
- B. Standard Practices
 - 1. SQA-41, "Sequoyah Nuclear Plant - Surveillance Test Program"
 - 2. SQA-44, "Plant Startup Test Program"
 - 3. SQA-119, "Unreviewed Safety Question Determination"
- C. Surveillance Instructions
 - 1. SI-3, "Daily, Weekly, and Monthly Logs," R19
 - 2. SI-128, "Emergency Core-Cooling Systems Residual Heat Removal Pumps, Units 1 and 2," R16
 - 3. SI-157, "Testable Penetrations, Units 1 and 2," R8
 - 4. SI-301, "NIS Detector Maintenance, Units 1 and 2," R0
 - 5. SI-566, "ERCW Flow Verification Test, Units 1 and 2," R9
 - 6. SI-599, "Periodic Calibration of the Electrical Penetration Nitrogen Pressure Instrumentation (Conditional), Units 1 and 2," R3
 - 7. SI-658, "Electrical Penetration Nitrogen Supply Header Pressure Integrity Test," R2
 - 8. SI-668.1, "ERCW Pipe Corrosion Monitoring Instruction, Unit 2," R1
- D. Startup Test Instruction, SU 9.1, "10% Load Swing Test"
- E. Instrument Maintenance Instructions
 - 1. IMI-92-SRPC, "Source Range-Proportional Counter Testing," R4
 - 2. IMI-92-IRIC, "Intermediate Range-Compensated Ion Chamber Testing," R3

3. IMI-92-PRIC, "Power Range-Uncompensated Ionization Chamber Testing," R4
- F. Modification and Additions Instruction, M&AI-6, "Installation of Conduit and Junction Boxes," R2
- G. Emergency Operating Instruction, EOI-0, "Immediate Actions and Diagnostics, Units 1 and 2," R14
- H. Sequoyah Final Safety Analysis Report
- I. NSRS Report No. R-82-01-SQN, March 29, 1982 (GNS 820329 050)
- J. Memorandum from H. J. Green to H. N. Culver dated May 7, 1982, "Sequoyah Nuclear Plant Units 1 and 2 - Nuclear Safety Review Staff Review Report No. R-82-01-SQN" (GNS 820511 100)
- K. Memorandum from H. J. Green to H. N. Culver dated July 29, 1982, "Sequoyah Nuclear Plant - Comments on NUC PR Response to NSRS Report No. R-82-01-SQN (L16 820726 804) (GNS 820802 100)
- L. Memorandum from H. G. Parris to H. N. Culver dated May 9, 1980, "Sequoyah Nuclear Plant - Hydrogen Control," (GNS 800512 102)

VI. PERSONNEL CONTACTED

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*Present at exit meeting, July 8, 1982

+Senior station representative at exit meeting.