

Vincent, Janet

From: Capehart, Phillip
Sent: Monday, February 04, 2013 8:38 PM
To: Vincent, Janet; Widmann, Malcolm
Subject: FW: Vogtl Fairness questions
Attachments: 2011 VG waivers of the operating test granted for other applicants who took the most recent examination.docx

Here are my written responses I sent to Frank.

From: Capehart, Phillip
Sent: Thursday, August 09, 2012 2:13 PM
To: Ehrhardt, Frank
Subject: Vogtl Fairness questions

Frank, attached are my responses to the 3 fairness questions you asked for me to respond to. If you need any additional information, feel free to contact me.

Phillip G. Capehart
 Senior Operations Engineer
 United States Nuclear Regulatory Commission
 Protecting People and the Environment
 404-997-4483

United States Nuclear Regulatory Commission Official Hearing Exhibit	
In the Matter of:	Charlissa C. Smith (Denial of Senior Reactor Operator License)
	ASLBP #: 13-925-01-SP-BD01
	Docket #: 05523694
	Exhibit #: CCS-006-00-BD01
	Admitted: 7/17/2013
	Rejected:
Other:	Identified: 7/17/2013 Withdrawn: Stricken:

1. *Was a waiver or waivers of the operating test granted for other applicants who took the most recent examination? (Capehart, Bates, Meeks)*
 - a. *If so, what was the basis and threshold for granting the waiver(s)?*

Seven out of the ten applicants failed the 2011 NRC exam. Six failed the written portion of the 2011 exam. One applicant failed the operating portion of the exam. That applicant subsequently resigned from the plant. The six remaining applicants from the 2011 exam were scheduled to take the 2012 exam and therefore were expected to request a waiver for the operating portion of the exam that they had previously passed. Five of the six applicants submitted and received a waiver for the operating portion of the exam. There was no waiver request submitted for Carla.

Based on her weak overall operating performance from the 2011 exam, the three examiners from that exam (Phil Capehart, Michael Meeks, and Jay Hopkins) ALL agreed that she was not a good candidate to be approved for a waiver request, if received, and informed Malcolm of our opinion.

There is currently no minimum threshold standard stated by the NUREG or by RII to determine whether an applicant should be denied a waiver for an exam. However, in this case, all three examiners from the original exam team were in agreement that her previous operating exam performance was a borderline pass, at best.

2. *How did the applicant's performance on the previous examination operating test differ from any applicants who were granted waivers? (Capehart, Bates, Meeks)*

Jay Hopkins was the examiner of record for Carla and in that capacity evaluated her simulator performance. As the chief examiner for the 2011 exam I concurred on his write ups for Carla. I recall that Jay was very surprised that on completion of his 303 write-ups that Carla's overall simulator performance competency scores resulted in a PASS evaluation.

It is important to note that even though Carla passed all of her JPMs, she had six JPM write-ups for non-critical errors. These same JPM errors were also reflected in some of her simulator errors. She demonstrated poor self checking techniques and was observed several times improperly operating equipment. While these failures on JPMs were not critical, they were revealing and supported our overall impression of her performance as a borderline competent/non-competent operator. During the simulator performance, Carla had a total of 9 competency write-ups. The other five applicants who received waivers for the operating exam portion had, at the most, four simulator competency write-ups. Four of the five applicants had three or less competency write-ups. Therefore, the weighting of her competency downgrade, even though she passed overall, was at a minimum, twice that of any other applicant.

In the simulator, the applicant's errors were complicated by poor diagnosis, failure to respond to auto failures, and improper operation of controllers. The applicant was noted several times to use the first indication available to her for diagnosis and did not use redundant, alternate indications to back up her assessment prior to providing incorrect information to the crew. The applicant, in both the RO and SRO roles, at times needed assistance from the other applicants to perform activities that were under her cognizance (such as immediate operator actions or actions required for equipment that should have auto operated but failed to do so). In the SRO role, several of her missteps were due to improper procedure usage and misunderstanding of the mitigating actions of the procedure. She directed improper steps at times that were subsequently corrected by her board operators.

3. *What did you discuss with the applicant and/or licensee regarding submitting a waiver for the operating test? (Capehart, Bates, Meeks)*

Part of the normal review process for potential exam waivers is to ask the previous exam team for their input on potential waiver request. I provided our exam team's input to Malcolm on this matter in an email per his request. In my response to his request I stated:

"Malcolm, I spoke with both Michael and Jay about the possibility of future waiver denials. The only individual that all 3 of us are in agreement about is Carla. Even though she passed the operating test portion, we would recommend a future waiver of this portion of the exam be denied."

As best as I can recall and based on my emails, I had no communication with the licensee regarding any of the waiver requests for the 2012 exam. I never spoke with the applicant until I saw her again during the 2012 exam.