


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-082-00-BD01
	Admitted: 7/17/2013
	Rejected:
	Other:

Exhibit CCS-082

Shows how email
conversations changed
and point that the denial
was sustained

Lets compare email communications with the changes in the revisions

This is the email with the Pass letter attached, please note that the board was notified of the issues with the title. NRC counsel verified that this is the same document (in the attachment) as CCS-024

Exhibit CCS-023

From: Muller, David
Sent: Thursday, September 20, 2012 4:01 PM
To: McHale, John; Jackson, Donald; Steely, Chris
Subject: ~~Vogtle Appeal~~
Attachment: VogtleSROSimszenappeal2012.docx

Please provide comments. Even if the panel did not toss out some errors and changed up some RFs (and assigned some new ones), the applicant still would have passed, based upon the simple fact that TWO errors in a RF does not equal a score of "1".

Dave Muller, IOLB
301-415-1412

Exhibit CCS-025

From: Steely, Chris
Sent: Wednesday, September 26, 2012 8:06 AM
To: Muller, David; McHale, John; Jackson, Donald
Subject: RE: Vogtle Appeal

Will send comments tomorrow.

Thanks,

Chris

From: Muller, David
Sent: Thursday, September 20, 2012 3:01 PM
To: McHale, John; Jackson, Donald; Steely, Chris
Subject: Vogtle Appeal

Please provide comments. Even if the panel did not toss out some errors and changed up some RFs (and assigned some new ones), the applicant still would have passed, based upon the simple fact that TWO errors in a RF does not equal a score of "1".

Dave Muller, IOLB
301-415-1412

Changes that
occurred from
the First Draft
to the Pass
Letter

These are the results of the Pass letter, the notes compare any changes made from the first draft. Below is a copy of the results for each section that identifies if any comments are added or removed

From Exhibit CCS-024 – Page # OF LOCATION IN EXHIBIT to the left

Results of this review:

EHC pump - Page 6 ➡

This review disagreed with the applicant and agreed with the original grading. The error during this event will be assigned to RF 1.b (Interpretation/Diagnosis—Ensure Accuracy).

Changes from 1st draft: No Changes

Results of this review:

SI/SLI – Page 9 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since her direction was in accordance with Procedure 19030-C step 12.b.

Changes from 1st draft: No Changes

Results of this review:

Heaters – Page 14 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 2.c (Procedures – Correct Use) and RF 5.b (Directing Operations—Oversight) based upon her performance during this event.

Changes from 1st draft: No Changes

Results of this review:

FIC 121 – Page 18 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 1.c (Interpretation/Diagnosis—Understanding) and RF 5.b (Directing Operations—Oversight) based upon her performance during this event.

Changes from 1st draft: No Changes

Results of this review:

Tavg/Tref– Page 21 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since she did on at least one occasion request to the SS to withdraw control rods before Tave went low out of the designated band.

Changes from 1st draft: No Changes

Results of this review:

RWST – Page 24 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event.

Changes from 1st draft: No Changes

Results of this review:

TE 130– Page 27 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 3.c per the original grading (Control Board Operations—Manual Control) and RF 1.c (Interpretation/Diagnosis—Understanding) based upon her performance during this event.

Changes from 1st draft: No Changes

The Communications Comments are newly added

Results of this review:

This review partially agreed with the applicant and partially agreed with the original grading. One error will be assessed to RF 4.a as a result of her performance during this event.

Directing immediate operator actions:

The applicant requested reconsideration of this apparent error based upon her assertion that directing immediate operator actions did NOT hinder procedure entry or performance, cause any confusion, effect event diagnosis, and ultimately, had no adverse consequences. This review agreed with the applicant, and determined that no error should be assessed in this case. When an event occurs, this review determined that it is not an error for a SS to "generically" request the performance of immediate operator actions, even if the specific event does not have immediate operator actions.

One communication comment removed

Results of this review:

This review disagreed with the applicant and agreed with the original grading. The applicant committed two errors which will be assigned to RF 4.b (Communications—Crew & Others Informed).

Results of this review:

This review disagreed with the applicant and agreed with the original grading. The error during this event will be assigned to RF 4.c (Communications—Receive Information).

Analysis:

Results of this review:

This review agreed with the original grading. The error during this event will be assigned to RF 4.a (Communications—Clarity).

Explanation on how RF will be assigned 2 instead of 1 because of scenarios with no notes (no notes performed properly)

**From this review, all RFs which had two assessed errors were given a score of "2". This is because there were many other scenario events where there were no documented applicant errors (per the applicant's original grading as contained in her Individual Examination Report), such that other activities were correctly performed related to the RFs with two assessed errors (i.e., RFs 1.c, Interpretation/Diagnosis—Understanding; 4.a, Communications—Clarity; Communications—Crew & Others Informed; and 5.b, Directing Operations—Oversight). Scenario events that involved the applicant where no errors were documented included:

- Scenario #3 (as SS): Events 2, 3, 6, 8, 9
- Scenario #6 (as SS): Events 2, 3, 5, 7, 8, 9, 10, 11
- Scenario #7 (as OATC): Events 8, 9, 10.

REVISED SIMULATOR OPERATING TEST GRADING SHEET:

ES-303

3.b

Form ES-303-1

PRIVACY ACT INFORMATION — FOR OFFICIAL USE ONLY

Applicant Docket Number: 55-23694					Page 1 of 1
Senior Reactor Operator Simulator Operating Test Grading Details					
Competencies/ Rating Factors (RFs)	RF Weights	RF Scores	RF Grades	Comp. Grades	Comment Page No. (See previous page)
1. Interpretation/Diagnosis					
a. Recognize & Attend	0.20	3	0.60	2.20	
b. Ensure Accuracy	0.20	2	0.40		
c. Understanding	0.30	2	0.60		
d. Diagnose	0.30	2	0.60		
2. Procedures					
a. Reference	0.30	3	0.90	2.60	
b. EOP Entry	0.30	3	0.90		
c. Correct Use	0.40	2	0.80		
3. Control Board Operations					
a. Locate & Manipulate	0.34	2	0.68	2.33	
b. Understanding	0.33	3	0.99		
c. Manual Control	0.33	2	0.66		
4. Communications					
a. Clarity	0.40	2	0.80	2.40	
b. Crew & Others Informed	0.40	2	0.80		
c. Receive Information	0.20	2	0.80		
5. Directing Operations					
a. Timely & Decisive Action	0.30	3	0.90	2.70	
b. Oversight	0.30	2	0.60		
c. Solicit Crew Feedback	0.20	3	0.60		
d. Monitor Crew Activities	0.20	3	0.60		
6. Technical Specifications					
a. Recognize and Locate	0.40	1	0.40	2.20	
b. Compliance	0.60	3	1.80		

[Note: Enter RF Weights (nominal, adjusted, or "0" if not observed (N/O)), RF Scores (1, 2, 3, or N/O).

This is how the grade sheet looked in the Pass letter

Exhibit CCS-026

Sounds like its complete!!

From: Steely, Chris
Sent: Wednesday, September 26, 2012 3:36 PM
To: Muller, David
Cc: Jackson, Donald
Subject: Appeal Review
Attachments: Steely Appeal Comments.doc

Dave,

I have attached my review notes. I think you did an excellent job on this report. Let me know if you have any questions.

Thanks,

Chris

Exhibit CCS-013

From: Muller, David
Sent: Thursday, September 27, 2012 10:43 AM
To: Jackson, Donald
Subject: RE: Appeal Review

I am in the office on Friday. I can add justification for the scores of 2 when 2 errors occurred just by citing all the scenario events that were clean and where they apply to each RF.

From: Jackson, Donald
Sent: Wednesday, September 26, 2012 5:10 PM
To: Steely, Chris; Muller, David
Cc: McHale, John
Subject: Re: Appeal Review

Dave,

I will try to call with my comments Friday if you are in...only major items are that sentence fragments need to become full sentences, and I think we need to expand the Score of 1 becoming a 2 section to include specific examples from the exam where an error could exist but does not, so a justification exists for a 2 score. This will help with clarifying our stance to RII and NRR management when it is reviewed. VR,
Don Jackson Sent Via Blackberry

Exhibit CCS-028

From: Jackson, Donald
Sent: Friday, September 28, 2012 8:58 AM
To: Muller, David
Cc: McHale, John; Steely, Chris
Subject: Appeal Comments

Importance: High

Just a few comments of mine, please incorporate these and Steely's, and then let's get this to Jack...ASAP:

My title is: Chief- Operations Branch, Region I...please reflect correctly in the document

Check procedure step format throughout document....C8b, C.8b, C.8.b, etc

Scenario 3, Event 4 "Results of Review"- Panel disagreed with grading and assigned errors to two different "areas".....change "areas" to rating factors

Scenario 6, Event 4 Step D10 vice DIO....Looks like capital I instead of a number 1.

Under each "The review determined the following" section.....each numbered item needs more formality and full sentences.

The section where you explain how the rating factor grades go from 1 to 2 based on a justification of another correct action....as discussed, this needs to be expanded and more specificity added, to ensure all who read the document understand the Exam Standard and the specific interpretation on how we are grading each rating factor.

Again, this is a fantastic effort !!! Thanks for the support!!

Very Respectfully,
Don Jackson
Chief- Region I, Operations Branch
(610) 337-5306

Being sent to the region and NRR to be reviewed, CCS-030, OLMC-500 , page 6 says upon completion, the appeal panel will forward its results to the IOLB for review, concurrence and routing to the director, DIRS for approval

No negative comments and the appearance is that they will defend their position, and happy with the outcome.....doesn't look like they are looking for more comments

Exhibit CCS-020

From: Muller, David
Sent: Wednesday, October 03, 2012 11:42 AM
To: Steely, Chris
Subject: FW: Region II Appeal

Looks like the Region is not Happy with the Results because now the team is looking for more comments

-----Original Message-----

From: Muller, David
Sent: Wednesday, October 03, 2012 9:35 AM
To: Jackson, Donald
Cc: McHale, John
Subject: RE: Region II Appeal

Provided in the binders written up by the exam team

For the past several days, I have been reviewing RII's "Table of other errors" to see if additional rating factors could be affected. I have been ~~eliminating any "new" information~~, but just trying to see for the events where the applicant had problems, if additional hits against rating factors seem justified. I will forward to you and Chris Steely the results of that review. Then if we agree to additional "hits", I will incorporate them into the write-up, along with comments I already have from you and Chris.

I am briefing Jack today on where things stand, how the grading looks thus far, and how the errors made justify (or don't justify) an impact on the rating factors. I believe the next draft (hopefully the final draft) will be completed next week.

Dave

--Original Message-----

From: Jackson, Donald
Sent: Wednesday, October 03, 2012 8:43 AM
To: Muller, David
Subject: Region II Appeal

Dave,

Are you done, and did you get our final recommendation product to Jack? If not, how close are you?

Don Jackson Sent Via Blackberry

Exhibit CCS-029

From: Muller, David
Sent: Wednesday, October 03, 2012 12:09 PM
To: Jackson, Donald; Steely, Chris; McHale, John
Subject: Vogtle appeal - look for additional hits

After reviewing all of the info from Region II, I can see three changes to my draft write-up (current hits):

Scenario 3 Event 5: EHC pump trip, standby fails to auto start; applicant was the Shift Supervisor

Current hit: RF 1.b (Interpretation/Diagnosis—Ensure Accuracy), based upon incorrectly believing the standby EHC pump should have auto-started

Revised hits: Move RF 1.b hit to RF 1.c hit (Interpretation/Diagnosis—Understanding), add a hit to RF 5.c (Directing Operations—Solicit Crew Feedback) for not involving the crew in her diagnosis.

Scenario 3 Event 4: Controlling Pressurizer Pressure Channel Fails High; applicant was the SS

Current hits: RF 2.c (Procedures—Correct Use) for not following RNO to control or let pressure drop to approximately 2235 psig prior to directing heaters be placed in automatic

RF 5.b (Directing operations—Oversight) for not providing precise direction to place the heaters in automatic, and providing other confusing guidance during this event

New hit: RF 1.c (Interpretation/Diagnosis—Understanding) for stating that the pressurizer heaters were not operating properly early on and not understanding that energizing pressurizer heaters is advantageous when pressurizer level is high

Scenario 7 Event 5: Pressurizer pressure channel fails high and PORV opens; applicant was the operator at the controls

Current hit: RF 3.a (Control Board Operations—Locate & Manipulate) for not closing the PORV (hand switch taken to wrong position) and corrected by the SS

New hit: same rating factor, but make it a missed critical task. Changes RF 3.a score to a "1"

OVERALL GRADING IMPACT: APPLICANT STILL PASSES, competency scores drop but still passes.

This is when Revision 1 was produced, after a few adjustments

Exhibit CCS-031

From: Muller, David
Sent: Wednesday, October 03, 2012 3:34 PM
To: Jackson, Donald
Subject: Vogtle Appeal - please review
Attachments: VogtleSROSims scenappeal2012 rev 1.docx

Don,

Another rough draft, and I have NOT put in your recommended changes yet. But I did modify the grading a bit:

Scenario 5 Event 5: EHC pump trip now has two errors for RF 1.d and RF 5.c

Scenario 3 Event 4: PZR PT failure now has 4 errors associated with it (up from 3). Added a hit for RF 1.c.

At the very back, Scenario 7 Event 5 (PZR PT failure and as the OATC she failed to close the PORV) this has now become a missed critical task.

Please contact Jack McHale with any issues and if you are OK with the overall grading (I know there are some "cosmetics" fix), pass on to Region II.

Dave (out of the office until Tuesday)

Changes that
occurred from
the Pass Letter
to REV 1

These are the results of the REV 1, the notes compare any changes made from the PASS LETTER. Below is a copy of the results for each section that identifies if any comments are added or removed

From Exhibit CCS-066 – Page # OF LOCATION IN EXHIBIT to the left

Results of this review:

EHC pump - Page 4 ➡

This review disagreed with the applicant and with the original grading. The error during this event will be assigned to RF 1.d (Interpretation/Diagnosis—Diagnose), and RF 5.c (Directing Operations—Solicit Crew Feedback).

Analysis:

Changes from Pass letter : 1b was removed 1d and 5c added

Results of this review:

SI/SLI – Page 7 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since her direction was in accordance with Procedure 19030-C step 12.b.

Changes from Pass Letter : No Changes

Results of this review:

Heaters – Page 12 ➡

This review did not agree with the applicant and identified additional errors beyond what was assigned in the original grading. This review assessed errors to RF 1.c (Interpretation/Diagnosis—Understanding), RF 2.c (Procedures – Correct Use) and RF 5.b (Directing Operations—Oversight) based upon her performance during this event.

Changes from Pass Letter : No Changes in grading but the review team did reword the description to include 1c (1c was already apart of the original grading for the comment that was on page 12, of the original grade sheet)

Results of this review:

FIC 121 – Page 16 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 1.c (Interpretation/Diagnosis—Understanding) and RF 5.b (Directing Operations—Oversight) based upon her performance during this event.

Changes from Pass Letter : No Changes

Results of this review:

Tavg/Tref– Page 19 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since she did on at least one occasion request to the SS to withdraw control rods before Tave went low out of the designated band.

Changes from Pass Letter : No Changes

Results of this review:

RWST – Page 22 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event.

Changes from Pass Letter : No Changes

Results of this review:

TE 130– Page 25 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 3.c per the original grading (Control Board Operations—Manual Control) and RF 1.c (Interpretation/Diagnosis—Understanding) based upon her performance during this event.

Changes from Pass Letter : No Changes

No communications changes occurred from the Pass letter to REV1

Communications
page 28



Results of this review:

This review partially agreed with the applicant and partially agreed with the original grading. One error will be assessed to RF 4.a as a result of her performance during this event.

Communications
page 30



Results of this review:

This review disagreed with the applicant and agreed with the original grading. The applicant committed two errors which will be assigned to RF 4.b (Communications—Crew & Others Informed).

Communications
page 31



Results of this review:

This review disagreed with the applicant and agreed with the original grading. The error during this event will be assigned to RF 4.c (Communications—Receive Information).

Analysis:

Communications
page 32



Results of this review:

This review agreed with the original grading. The error during this event will be assigned to RF 4.a (Communications—Clarity).

Comment that the PORV is CRITICAL was added in this revision

****ADDED****

Page 34, applied to
Competency 3a

*From this review, the applicant's incorrect action during Scenario 7, Event 5 (Pressurizer Pressure Transmitter (PT-456) Failed High causing PORV to Open, PORV Block Valve Failed to Automatically Close) was considered related to a critical task. During this event, the applicant incorrectly operated a pressurizer PORV hand switch, which resulted in the PORV remaining open. Approximately 30 seconds later, the applicant was directed to close the PORV by the SS, at which point the applicant successfully closed the PORV. From this review, this was considered an error associated with a critical task in accordance with NUREG-1021, Appendix D, item D.1.a. If left uncorrected, the applicant would have allowed a small break loss of coolant accident to continue (degraded fission product barrier), which would have required an automatic reactor trip and safety injection to mitigate.

This is the grade sheet at the end of REV 1, after this revision the grade sheet was removed a more detail presentation will show how the changes affect the grade and a grade sheet will be produced based on NUREG 1021 standards – This meets the requirements for Passing

REVISED SIMULATOR OPERATING TEST GRADING SHEET:

ES-303

3.b

Form ES-303-1

Applicant Docket Number: 55-xxxxxx					Page 1 of 1
Senior Reactor Operator Simulator Operating Test Grading Details					
Competencies/ Rating Factors (RFs)	RF Weights	RF Scores	RF Grades	Comp. Grades	Comment Page No. (See previous page)
1. Interpretation/Diagnosis a. Recognize & Attend b. Ensure Accuracy c. Understanding d. Diagnose	0.20 0.20 0.30 0.30	3 2 1 2	0.60 0.40 0.30 0.60	1.90	
2. Procedures a. Reference b. EOP Entry c. Correct Use	0.30 0.30 0.40	3 3 2	0.90 0.90 0.80	2.60	
3. Control Board Operations a. Locate & Manipulate b. Understanding c. Manual Control	0.34 0.33 0.33	1 3 2	0.34 0.99 0.66	1.99	
4. Communications a. Clarity b. Crew & Others Informed c. Receive Information	0.40 0.40 0.20	2 2 2	0.80 0.80 0.80	2.40	
5. Directing Operations a. Timely & Decisive Action b. Oversight c. Solicit Crew Feedback d. Monitor Crew Activities	0.30 0.30 0.20 0.20	3 2 3 3	0.90 0.60 0.60 0.60	2.70	
6. Technical Specifications a. Recognize and Locate b. Compliance	0.40 0.60	1 3	0.40 1.80	2.20	

Changes that
occurred from
the REV 1 to
REV 2

The team is still looking for comments and it sounds like a verbal recommendation has occurred and the team is just looking for comments that can stand up to scrutiny if challenged in a legal atmosphere – The denial was not based on substance but a desire to fail the applicant

Exhibit CCS-032

From: Jackson, Donald
Sent: Sunday, October 07, 2012 10:05 AM
To: McHale, John
Cc: Steely, Chris; Muller, David
Subject: Revision To Vogtle Appeal
Attachments: VogtleSROSims scenappeal2012 rev 2.docx
Importance: High

Jack,

I believe the attached document is ready for Region II comments. Per our discussion, I reframed the panel's role in this review such that it is limited to addressing how each of the errors was dispositioned. I understand that the final grading, and how to apply the concept of a positive action erasing an error, and adjusting a rating factor grade from 1 to 2, is a IOLB policy decision that is under review. You have my verbal recommendation on how the final grading should shake out, and this recommendation is aligned with the panel's recommendation. Once Region II comments are reviewed and incorporated, I will re-submit to you with a short cover letter. Please let me know if this meets your needs. I want to turn this around as quickly as possible, so that this can get to a final resolution.

Very Respectfully,
Don Jackson

These are the results of the REV 2, the notes compare any changes made from the REV 1. Below is a copy of the results for each section that identifies if any comments are added or removed

From Exhibit CCS-067 – Page # OF LOCATION IN EXHIBIT to the left

Results of this review:

EHC pump - Page 4 ➡

This review disagreed with the applicant and with the original grading. The error during this event will be assigned to RF 1.d (Interpretation/Diagnosis—Diagnose), and additionally RF 5.c (Directing Operations—Solicit Crew Feedback).

Changes from REV 1: NO CHANGE to grading, sentence was rewritten – but the same information

Results of this review:

SI/SLI – Page 7 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since her direction was in accordance with Procedure 19030-C step 12.b.

Changes from REV 1 : No Changes

Results of this review:

Heaters – Page 12 ➡

This review did not agree with the applicant and identified additional errors beyond what was assigned in the original grading. This review assessed errors to RF 1.c (Interpretation/Diagnosis—Understanding), RF 2.c (Procedures – Correct Use) and RF 5.b (Directing Operations—Oversight) based upon her performance during this event.

Changes from REV 1 : No Changes

Results of this review:

FIC 121 – Page 16 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 1.c (Interpretation/Diagnosis—Understanding) and RF 5.b (Directing Operations—Oversight) based upon her performance during this event.

Changes from REV 1: No Changes

Results of this review:

Tavg/Tref– Page 19 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since she did on at least one occasion request to the SS to withdraw control rods before Tave went low out of the designated band.

Changes from REV 1: No Changes

Results of this review:

RWST – Page 22 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event.

Changes from REV 1 : No Changes

Results of this review:

TE 130– Page 25 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 3.c per the original grading (Control Board Operations—Manual Control) and RF 1.c (Interpretation/Diagnosis—Understanding) based upon her performance during this event.

Changes from REV 1: No Changes

Results of this review:

Communications
page 28



This review partially agreed with the applicant and partially agreed with the original grading. One error will be assessed to RF 4.a as a result of her performance during this event.

This change occurred in the paragraph but
"the results of this review" were not
changed, based on emails this was still in
deliberationYOU WILL SEE IN THE NEXT
REV THAT THIS WILL CHANGE BACK

Directing immediate operator actions:

The applicant requested reconsideration of this apparent error based upon her assertion that directing immediate operator actions did NOT hinder procedure entry or performance, cause any confusion, effect event diagnosis, and ultimately, had no adverse consequences. This review disagreed with the applicant, and determined that an error should be assessed in this case.



Results of this review:

Communications
page 30



This review disagreed with the applicant and agreed with the original grading. The applicant committed two errors which will be assigned to RF 4.b (Communications—Crew & Others Informed).

Results of this review:

Communications
page 31



This review disagreed with the applicant and agreed with the original grading. The error during this event will be assigned to RF 4.c (Communications—Receive Information).

Analysis:

Results of this review:

Communications
page 32



This review agreed with the original grading. The error during this event will be assigned to RF 4.a (Communications—Clarity).

Comment that the PORV is CRITICAL (from REV 1)

*From this review, the applicant's incorrect action during Scenario 7, Event 5 (Pressurizer Pressure Transmitter (PT-456) Failed High causing PORV to Open, PORV Block Valve Failed to Automatically Close) was considered related to a critical task. During this event, the applicant incorrectly operated a pressurizer PORV hand switch, which resulted in the PORV remaining open. Approximately 30 seconds later, the applicant was directed to close the PORV by the SS, at which point the applicant successfully closed the PORV. From this review, this was considered an error associated with a critical task in accordance with NUREG-1021, Appendix D, item D.1.a. If left uncorrected, the applicant would have allowed a small break loss of coolant accident to continue (degraded fission product barrier), which would have required an automatic reactor trip and safety injection to mitigate.

****ADDED****

Page 34, applied to
Competency 3a

*******No changes occurred in the grading**

Removed the Reference to rating factors and the paragraph stating
the scenarios that were clean

This is the grade sheet is to illustrate that no changes occurred (no included in the actual revision)

REVISED SIMULATOR OPERATING TEST GRADING SHEET:

ES-303

3.b

Form ES-303-1

Applicant Docket Number: 55-xxxxxx					Page 1 of 1
Senior Reactor Operator Simulator Operating Test Grading Details					
Competencies/ Rating Factors (RFs)	RF Weights	RF Scores	RF Grades	Comp. Grades	Comment Page No. (See previous page)
1. Interpretation/Diagnosis a. Recognize & Attend b. Ensure Accuracy c. Understanding d. Diagnose	0.20 0.20 0.30 0.30	3 2 1 2	0.60 0.40 0.30 0.60	1.90	
2. Procedures a. Reference b. EOP Entry c. Correct Use	0.30 0.30 0.40	3 3 2	0.90 0.90 0.80	2.60	
3. Control Board Operations a. Locate & Manipulate b. Understanding c. Manual Control	0.34 0.33 0.33	1 3 2	0.34 0.99 0.66	1.99	
4. Communications a. Clarity b. Crew & Others Informed c. Receive Information	0.40 0.40 0.20	2 2 2	0.80 0.80 0.80	2.40	Typo here 0.20 X2=0.40 so that will change overall score to 2.00
5. Directing Operations a. Timely & Decisive Action b. Oversight c. Solicit Crew Feedback d. Monitor Crew Activities	0.30 0.30 0.20 0.20	3 2 3 3	0.90 0.60 0.60 0.60	2.70	
6. Technical Specifications a. Recognize and Locate b. Compliance	0.40 0.60	1 3	0.40 1.80	2.20	

Changes that
occurred from the
REV 2 to REV 3,
there is no
documentation to
prove when Rev 3
was produced

These are the results of the REV 3, the notes compare any changes made from the REV 2. Below is a copy of the results for each section that identifies if any comments are added or removed

From Exhibit CCS-____ – Page # OF LOCATION IN EXHIBIT to the left

Results of this review:

EHC pump - Page 4 ➡

This review disagreed with the applicant and with the original grading. The error during this event will be assigned to RF 1.d (Interpretation/Diagnosis—Diagnose), and additionally RF 5.c (Directing Operations—Solicit Crew Feedback).

Changes from REV 2: NO CHANGE

Results of this review:

SI/SLI – Page 7 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since her direction was in accordance with Procedure 19030-C step 12.b.

Changes from REV 2 : No Changes

Results of this review:

Heaters – Page 12 ➡

This review did not agree with the applicant and identified additional errors beyond what was assigned in the original grading. This review assessed errors to RF 1.c (Interpretation/Diagnosis—Understanding), RF 2.c (Procedures – Correct Use) and RF 5.b (Directing Operations—Oversight) based upon her performance during this event.

Changes from REV 2 : No Changes

Results of this review:

FIC 121 – Page 16 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 1.c (Interpretation/Diagnosis—Understanding) and RF 5.b (Directing Operations—Oversight) based upon her performance during this event.

Changes from REV 2: No Changes

Results of this review:

Tavg/Tref– Page 19 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since she did on at least one occasion request to the SS to withdraw control rods before Tave went low out of the designated band.

Changes from REV 2: No Changes

Results of this review:

RWST – Page 22 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event.

Changes from REV 2 : No Changes

Results of this review:

TE 130– Page 25 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 3.c per the original grading (Control Board Operations—Manual Control) and RF 1.c (Interpretation/Diagnosis—Understanding) based upon her performance during this event.

Changes from REV 2: No Changes

Results of this review:

Communications
page 28



This review partially agreed with the applicant and partially agreed with the original grading. One error will be assessed to RF 4.a as a result of her performance during this event.

This change occurred in the paragraph but "the results of this review" were not changed, previous revision stated an error should be assessednow it was changed back to NO ERROR should be assessed
Paragraph starts on page 28 and ends on page 29



Directing immediate operator actions:

The applicant requested reconsideration of this apparent error based upon her assertion that directing immediate operator actions did NOT hinder procedure entry or performance, cause any confusion, effect event diagnosis, and ultimately, had no adverse consequences. This review

disagreed with the original grading applicant, and determined that no an error should be assessed in this case.

No other communications changes

Results of this review:

Communications
page 30



This review disagreed with the applicant and agreed with the original grading. The applicant committed two errors which will be assigned to RF 4.b (Communications—Crew & Others Informed).

Results of this review:

Communications
page 31



This review disagreed with the applicant and agreed with the original grading. The error during this event will be assigned to RF 4.c (Communications—Receive Information).

Analysis:

Results of this review:

Communications
page 32



This review agreed with the original grading. The error during this event will be assigned to RF 4.a (Communications—Clarity).

Comment that the PORV is CRITICAL (from REV 1)

*From this review, the applicant's incorrect action during Scenario 7, Event 5 (Pressurizer Pressure Transmitter (PT-456) Failed High causing PORV to Open, PORV Block Valve Failed to Automatically Close) was considered related to a critical task. During this event, the applicant incorrectly operated a pressurizer PORV hand switch, which resulted in the PORV remaining open. Approximately 30 seconds later, the applicant was directed to close the PORV by the SS, at which point the applicant successfully closed the PORV. From this review, this was considered an error associated with a critical task in accordance with NUREG-1021, Appendix D, item D.1.a. If left uncorrected, the applicant would have allowed a small break loss of coolant accident to continue (degraded fission product barrier), which would have required an automatic reactor trip and safety injection to mitigate.

****ADDED****

Page 34, applied to
Competency 3a

*******No changes occurred in the grading**

This is the grade sheet at the end of REV 3, this is intended to represent that the grades did not change from the previous revision

REVISED SIMULATOR OPERATING TEST GRADING SHEET:

ES-303

3.b

Form ES-303-1

Applicant Docket Number: 55-xxxxxx					Page 1 of 1
Senior Reactor Operator Simulator Operating Test Grading Details					
Competencies/ Rating Factors (RFs)	RF Weights	RF Scores	RF Grades	Comp. Grades	Comment Page No. (See previous page)
1. Interpretation/Diagnosis a. Recognize & Attend b. Ensure Accuracy c. Understanding d. Diagnose	0.20 0.20 0.30 0.30	3 2 1 2	0.60 0.40 0.30 0.60	1.90	
2. Procedures a. Reference b. EOP Entry c. Correct Use	0.30 0.30 0.40	3 3 2	0.90 0.90 0.80	2.60	
3. Control Board Operations a. Locate & Manipulate b. Understanding c. Manual Control	0.34 0.33 0.33	1 3 2	0.34 0.99 0.66	1.99	
4. Communications a. Clarity b. Crew & Others Informed c. Receive Information	0.40 0.40 0.20	2 2 2	0.80 0.80 0.80	2.40	Typo here 0.20 X2=0.40 so that will change overall score to 2.00
5. Directing Operations a. Timely & Decisive Action b. Oversight c. Solicit Crew Feedback d. Monitor Crew Activities	0.30 0.30 0.20 0.20	3 2 3 3	0.90 0.60 0.60 0.60	2.70	
6. Technical Specifications a. Recognize and Locate b. Compliance	0.40 0.60	1 3	0.40 1.80	2.20	

This is the Email in which we know that the exam team was involved

Prior to the email the denial had not been sustained !!!!!

Exhibit CCS-059

From: Jackson, Donald
Sent: Tuesday, October 16, 2012 2:01 PM
To: Muller, David; Steely, Chris
Subject: FW: Appeal
Attachments: Region II Comments on Finalized Panel Recommendations (MAB) rev 2 12OCT2012.docx

Please review the attached and prepare to discuss. I would like to have a conference call at 9am on Monday morning (10/22). Please let me know if you are available, and what number you will be at....I will try to conference through my new phone!!

Very Respectfully,

Don Jackson

Chief- Region I, Operations Branch
(610) 337-5306

From: McHale, John
Sent: Tuesday, October 16, 2012 11:22 AM
To: Jackson, Donald
Subject: Appeal

Don,

Region 2's feedback on the panel outcome is attached. As expected, they disagree with dismissal of some of the errors and reaffirm their original position on those. They also recommend placement of some of the additional errors the panel identified under a different rating factor and dropping others. What I think will be critical to the overall outcome is the RE assignment of the second error related to Scenario 7, Event 3, TE-0130 fails low (original comment 21/panel report p. 25/attached R-2 feedback item G). With that shift, plus the PORV critical error, the failure would be sustained based on Control Board Ops and dismissing the Tave, SI block, and immediate action comm. errors probably don't matter.

I recommend you share with your team and call Mark Bates to discuss any questions and determine if anything provided changes any of your recommendations.

Please call to discuss if you'd like.

Jack

John McHale points out what will
sustain the failure

C. Smith's Examiner that failed her
on the Simulator Exam

Exhibit CCS-063

From: Muller, David
Sent: Tuesday, October 23, 2012 12:37 PM
To: Jackson, Donald
Subject: Vogtle Appeal Draft Attached
Attachments: VogtleSROSims scenappeal2012 rev 4 DM.docx

Don,

Please review the attached and provide me any feedback. Forward to Chris Steely as well.
Upon receiving your feedback, I will:

1. Incorporate any of your comments
2. Remove all redline and strikeouts, so the document is "clean"
3. Place it into ADAMS (non-public of course) and begin the final concurrence process.

Thank you so very much,
Dave Muller

See the changes that occur in Rev 4

Changes that
occurred from
the REV 3 to
REV 4

These are the results of the REV 4, the notes compare any changes made from the REV 3. Below is a copy of the results for each section that identifies if any comments are added or removed

From Exhibit CCS-____ – Page # OF LOCATION IN EXHIBIT to the left

Results of this review:

EHC pump - Page 4 ➡

This review disagreed with the applicant and with the original grading. The error during this event will be assigned to RF 1.d (Interpretation/Diagnosis—Diagnose), and additionally RF 5.c (Directing Operations—Solicit Crew Feedback).

Changes from REV 3: NO CHANGE

Results of this review:

SI/SLI – Page 7 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since her direction was in accordance with Procedure 19030-C step 12.b.

Changes from REV 3 : No Changes

Results of this review:

Heaters – Page 12 ➡

This review did not agree with the applicant and identified additional errors beyond what was assigned in the original grading. This review assessed errors to RF 1.c (Interpretation/Diagnosis—Understanding), RF 2.c (Procedures – Correct Use) and RF 5.b (Directing Operations—Monitor Crew Activities Oversight) based upon her performance during this event.

Changes from REV 3 : 5b was removed and 5d was added

Results of this review:

FIC 121 – Page 16 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 1.c (Interpretation/Diagnosis—Understanding) and RF 5.b (Directing Operations—Oversight) based upon her performance during this event.

Changes from REV 2: No Changes

Results of this review:

Tavg/Tref– Page 19 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event, since she did on at least one occasion request to the SS to withdraw control rods before Tave went low out of the designated band.

Changes from REV 2: No Changes

Results of this review:

RWST – Page 22 ➡

This review partially agreed with the applicant and disagreed with the original grading. No error will be assessed to the applicant as a result of her performance during this event.

Changes from REV 2 : No Changes

Results of this review:

TE 130– Page 25 ➡

This review did not agree with the applicant and identified an additional error beyond what was assigned in the original grading. This review assessed errors to RF 3.c per the original grading (Control Board Operations—Manual Control) and RF 3.b (Control Board Operations—Understanding) 1.c (Interpretation/Diagnosis—Understanding) based upon her performance during this event.

Changes from REV 3: 1c was removed and 3c was added as pointed out by John McHale in an email, info based on Region II document (see last page)

Results of this review:

This review partially disagreed with the applicant and partially agreed with the original grading. Two One error~~s~~ will be assessed to RF 4.a as a result of her performance during this event.

Directing immediate operator actions:

The applicant requested reconsideration of this apparent error based upon her assertion that directing immediate operator actions did NOT hinder procedure entry or performance, cause any confusion, effect event diagnosis, and ultimately, had no adverse consequences. This review disagreed with the applicant and agreed with the original grading, and determined that no error-

Results of this review:

This review disagreed with the applicant and agreed with the original grading. The applicant committed two errors which will be assigned to RF 4.b (Communications—Crew & Others Informed).

Results of this review:

This review disagreed with the applicant and agreed with the original grading. The error during this event will be assigned to RF 4.c (Communications—Receive Information).

Analysis:

Results of this review:

This review agreed with the original grading. The error during this event will be assigned to RF 4.a (Communications—Clarity).

Comment that the PORV is CRITICAL (from REV 1)

*From this review, the applicant's incorrect action during Scenario 7, Event 5 (Pressurizer Pressure Transmitter (PT-456) Failed High causing PORV to Open, PORV Block Valve Failed to Automatically Close) was considered related to a critical task. During this event, the applicant incorrectly operated a pressurizer PORV hand switch, which resulted in the PORV remaining open. Approximately 30 seconds later, the applicant was directed to close the PORV by the SS, at which point the applicant successfully closed the PORV. From this review, this was considered an error associated with a critical task in accordance with NUREG-1021, Appendix D, item D.1.a. If left uncorrected, the applicant would have allowed a small break loss of coolant accident to continue (degraded fission product barrier), which would have required an automatic reactor trip and safety injection to mitigate.

****ADDED****

Page 34, applied to Competency 3a

*****Denial has now been sustained

*****Denial has now been sustained

Where did the comment come from that ultimately led to C. Smith's Failure ?

The document below

Exhibit CCS-060, page 1

Region II Recommendations/Comments on the "Final" Independent Review Panel Document, October 12, 2012

This response to the Review Panel's conclusion is intended to show the NRR Program Office, the most accurate evaluation of the applicant's performance. The following conclusions by Region II's Exam Team are based on the observation of three examiners with extensive Industry and NRC experience. Region II considered the Review Panel's Report in combination with the Exam Team's first hand observation of the applicant's performance and applied the guidance of NUREG-1021 to provide the Program Office with an accurate evaluation that is defensible by the only three examiners that actually observed the applicant's performance.

The Region II Exam Team concluded, with the opportunity of hindsight and deeper evaluation, that the initial evaluation as documented in the denial was largely accurate. The Region II Exam Team did, however, agree with some aspects of the Review Panel's Report for assigning some errors to additional rating factors. Region II's final conclusion is that the original denial should be sustained. Region II's revised Form 303-1 can be found at the end of this document (Page 11 of 11).

Exhibit CCS-060, page 6

G. Scenario 7, Event 3: Loss of Cooling to Letdown Heat Exchanger (TE-130 Fails Low)

1. Original Grading: One non-critical error associated with RF 3.c, "Control Board Operations – Manual Control."
2. Independent Panel Recommendation: One non-critical error associated with RF 1.c, "Interpretation/Diagnosis – Understanding," and one non-critical error associated with RF 3.c, "Control Board Operations – Manual Control."
3. Region II Comments/Recommendations: Region II believes that the most appropriate grading of this event is to assign one non-critical error to RF 3.c and a second non-critical error associated with 3.b, "Control Board Operations – Understanding." Discussion:

This is the comment that led to C. Smith failure, after involvement from C. Smith, Why did region II sent a letter stating that I could appeal the results if this was the way it was to be performed..... Also note in #2 that was an item on the list provided in the document that Mark Bates provided to the panel member in July5, 2012