



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

July 10, 1998

IA 98-013

Mr. Miles C. Bradley
[HOME ADDRESS DELETED
PURSUANT TO 10 CFR 2.790]

SUBJECT: NOTICE OF VIOLATION
(NRC Investigation Report Nos. 4-97-022S and 4-1998-014)

Dear Mr. Bradley:

This refers to the above-cited investigations conducted by the NRC's Office of Investigations (OI) and the predecisional enforcement conference held with Arizona Public Service (APS) Company, which you attended, on March 31, 1998, in the NRC's Region IV office in Arlington, Texas. The conference was conducted to discuss an apparent falsification of a surveillance test record on or about March 10, 1993, at the Palo Verde Nuclear Generating Station in which you, a licensed operator at the time, and other licensed individuals of the control room operations staff, were involved.

During the conference, and in your transcribed interview with OI, you admitted that you participated in falsifying a surveillance test record. Specifically, you and other (licensed) members of the control room operations staff decided to record an incorrect time for a surveillance test such that the records indicated the surveillance had been performed within the required one-hour time frame. In fact, the surveillance had been performed several hours later. During the conference, you acknowledged the inappropriateness of your actions and that you failed in your responsibilities as set forth in your operating license. You stated that you were not directed to falsify the document, nor did you refuse to falsify the document. You stated this incident was an isolated error in judgment. During the conference, you described the actions that your employer has taken in response to this incident, including having your operating license terminated, receiving a one week suspension without pay, and other requirements with which you must comply.

The NRC considers your actions a serious breach of the trust and integrity expected of licensed personnel in the nuclear industry. Further, your actions caused the facility licensee to be in violation of NRC requirements for which the NRC has taken escalated enforcement action (see enclosed Notice of Violation and Proposed Imposition of Civil Penalty to APS). After reviewing all the circumstances of this case, including the action already taken against you by your employer, the fact that the incident occurred over five years ago, and your cooperation with the NRC during its investigation, the NRC has limited its action to issuance of the enclosed Notice of Violation (Notice) to you. The violation has been categorized at Severity Level IV in accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600. You should be aware, however, that the NRC will consider imposing stronger sanctions should you engage in misconduct involving NRC-licensed activities in the future.

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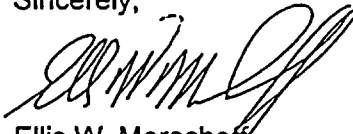
ACRS

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

Further, you should be aware that should you apply for a Part 55 license in the future, you will be required to address the issue of trustworthiness in accordance with 10 CFR 55.31(b).

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of the correspondence related to this enforcement action will be placed in the Public Document Room (PDR) under your employer's docket number as well as the docket number assigned to your license under the provisions of 10 CFR Part 55. This includes the NRC's letter to you dated March 20, 1998, and this letter with its enclosure. As indicated below, we are providing a copy of this letter to Arizona Public Service and to your attorney.

Sincerely,



Ellis W. Merschoff
Regional Administrator

Docket Nos. 50-528, 50-529, 50-530, 55-50476
License Nos. NPF-41, NPF-51, NPF-74, OP-50323-1

Enclosures:

1. Notice of Violation
2. Letter dated July 10, 1998 to James M. Levine

cc w/Enclosure 1 only:
James M. Levine, Senior Vice
President, Nuclear
Arizona Public Service Company
P.O. Box 53999
Phoenix, Arizona 85072-3999

Mr. Donald P. Irwin, Esq.
Hunton & Williams
951 East Byrd Street
Richmond, Virginia 23219

Mr. Miles C. Bradley -- IA 98-013

bcc (w/Encl 1 only):

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