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Writer's Direct Dial Number:

November 19, 1990
C321-90-2005

Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

Dear Sir:


Subject: Oyster Creek Nuclear Generating Station
Docket No. 50-219
Reply to Notice of Violation and
Proposed Imposition of Civil Penalty

In accordance with 10 CFR 2.201, enclosed is GPU Nuclear's reply to a notice of violation and proposed imposition of a civil penalty served with NRC letter dated October 24, 1990. The enclosed check in the amount of \$75,000 represents GPUN's payment of the imposed civil penalty.

The subject letter discusses GPUN's re-grading of all 43 operator requalification written exams administered in May-June 1989 and states the results show 41 exams were initially graded incorrectly. It is important to clarify that although there were differences in the grading on 41 exams, the difference arose because the original answer key was not sufficiently explicit in the assignment of partial credit. We do not construe the results to mean these 41 exams were initially graded incorrectly. The corrective actions described in our response will eliminate this type of grading difficulty.

If there are any questions regarding this matter, please call Mr. Michael Heller, Licensing Engineer, at (609) 971-4680.

Very truly yours,


P.B. Heller
Vice President and Director
Nuclear Assurance

PBF/MH/jc

cc: Administrator
Region 1
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

NRC Resident Inspector
Oyster Creek Nuclear Generating Station

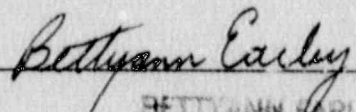
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(Operating:44-46)

GPU Nuclear Corporation is a subsidiary of General Public Utilities Corporation

Sworn and subscribed to before me this

19th day of November, 1990


BETTYANN EARLEY

NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Mar. 21, 1991

IEIA Rec'd w/ check
500327
\$ 75,000

Enclosure 1

Reply to Notice of Violation

Violation:

10 CFR 50.54(k) states, that an operator or senior operator licensed pursuant to Part 55 shall be present at the controls at all times during operation of the facility.

10 CFR 55.53(h) requires that as a condition of the license, the licensed reactor operator or senior reactor operator shall complete a requalification program as described by 10CFR55.59.

10 CFR 55.59(a)(2) states, that licensed operators must successfully pass a comprehensive requalification written examination and an annual operating test.

Contrary to the above, on certain occasions between June 1, 1989 and June 28, 1990 and between May 12, 1989 and July 10, 1990 respectively, while the reactor was operating, two reactor operators were, at times, present at the controls of the reactor without having successfully completed a comprehensive requalification program in that the individuals did not pass the written examinations administered on June 1, 1989 and May 12, 1989, respectively. Although the individuals were initially assigned grades of 82.5% and 82.69% respectively, which exceeded the passing criteria of 80%, the individuals' examinations were regraded in June and July 1990 and assigned grades of less than 80%.

This violation has been classified at Severity Level III (Supplement I).

Civil Penalty - \$75,000.

Reply:

GPUN concurs with the cited violation and agrees to pay the civil penalty.

The cause of the violation is attributed to (1) inattention to detail in the preparation, administration and grading of the 1989 biennial requalification exam and (2) the lack of a comprehensive procedure for the administration and documentation of the exam process. A contributing factor was the lack of a complete, valid and objectively written exam bank.

Corrective actions taken to prevent recurrence are as follows:

1. A comprehensive operator training exam administration procedure has been issued. The procedure will be used to consolidate and improve guidance for the preparation, administration and grading of exams and quizzes. The procedure requires thorough documentation of all grading decisions that deviate from the answer key, a second grading of all biennial requalification exams and a second grading of all quizzes and exams with scores within $\pm 6\%$ of 80%.
2. Management expectations in the area of exam preparation, administration and grading have been reemphasized to all operator training personnel.
3. Operator training instructors have been trained on the development of open-reference exam questions.

In addition, GPUN is improving the written exam bank by (1) including more objective questions ($\geq 80\%$) in the exam bank, (2) performing a technical and time revalidation of the exam bank, and (3) conducting an independent review of the exam bank to improve question clarity. These efforts are scheduled for completion by March 31, 1991.

GPUN believes full compliance with the requirements cited in the notice of violation was confirmed on July 13, 1990 when an independent third party re-grade of the 1989 requalification exams was completed and no further exam failures were identified. The two operators identified as having failed the exam were immediately removed from licensed duties. After successfully completing an accelerated requalification program in accordance with 10 CFR 55.59, the two operators returned to licensed duties.