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Docket Nos. 50-373 and 50-374
EA 87-089

Commonwealth Edison Company
ATTN: Mr. Cordell Reed
Senior Vice President
Post Office Box 767
Chicago, Illinois 60690

Gentlemen:

This refers to an NRC inspection conducted during the period of December 30, 1986 through January 27, 1987 and to the closeout inspection conducted by Mr. R. D. Lanksbury of this office on May 3-4, 1990, of activities at LaSalle Nuclear Power Station authorized by Operating Licenses No. NPF-11 and No. NPF-18 and to the discussion of our findings with Mr. G. Diederich and members of his staff at the conclusion of the inspection. An enforcement conference was held on February 13, 1987 in the Region III office to discuss the findings of the first inspection. The closeout inspection was to follow up on concerns regarding a test engineer who falsified another individuals initials in January 1987. The NRC Office of Investigation (OI:RIII) also recently completed their investigation of this event.

The enclosed copy of our inspection report identifies areas examined during the closeout inspection. Within these areas, the inspection consisted of a selective examination of procedures and representative records, observations, and interviews with personnel. Enclosed along with our inspection report is a copy of the OI:RIII investigation synopsis regarding their investigation of the circumstances surrounding the record falsification and their conclusions.

The event occurred on January 17, 1987, when, following the completion of a Local Leak Rate Test (LLRT) at LaSalle, and while reviewing the procedure checklists, a test engineer discovered four missing signatures required to verify the position of a valve during the test. One signature was required to verify the pre-test lineup position, one signature was required to verify the post-test lineup position, and a second signature indicating dual verification of each of the above was required.

The test engineer admitted that he falsified the valve lineup checklist during the LLRT by initialing a valve verification that he had not performed. He admitted that he knew it was wrong to initial a verification that he had not performed, but he was concerned that the procedural paperwork was incomplete. The test engineer also admitted that he again falsified the same valve lineup checklist when he signed another test engineer's initials on the checklist, indicating that this engineer had performed a second verification, when he had not. The test engineer admitted that he had used poor judgement and knew that he should not have signed another engineer's initials in order to complete the checklist.

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When confronted by the other test engineer who told him that he had not done the verification, the test engineer then removed the individual's initials from the checklist. The test engineer then persuaded a technical staff person to initial and backdate the checklist, indicating that the technical staff person had been the second verifier for both the pre-test and post-test valve lineup on the date of the test knowing that this person had not performed this activity. While the technical staff person admitted that he felt that it was against procedure to backdate the entry and to initial a valve lineup that he had not actually verified, there had not been any proceduralized guidelines established for second verifications at LaSalle at the time of the LLRT.

The NRC considered several factors in determining the severity level of this willful violation. Although (1) the person was not in a supervisory position, (2) test engineer is a responsible position, (3) there was no economic advantage gained as a result of this violation, and (4) the technical safety significance of this event was minimal, in that the particular valve did not impact the test results and a second LLRT was performed upon discovery of the event, the NRC finds the regulatory significance of this event of particular concern. Specifically, record falsification is an activity that cannot be tolerated in the nuclear industry. Moreover, the NRC is particularly concerned that when the test engineer was confronted with the initial falsification, he subsequently persuaded a technical staff person to falsify the checklist, thereby repeating the activity that he knew was unacceptable and wrongfully influencing the action of another employee. Therefore, considering the test engineer's position and the individual's intent to deceive, as evidenced by the two instances of falsification, this violation has been categorized at Severity Level III.

In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C (1990), a civil penalty is considered for a Severity Level III violation. However, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Nuclear Materials Safety, Safeguards, and Operations Support, I have decided that a civil penalty will not be proposed in this case because you promptly identified the violation and subsequently took prompt and extensive corrective action, including suspending the individual for two weeks without pay. The NRC also considered the apparent good behavior of the individual since the time the violation occurred.

The fact that a civil penalty is not being proposed for this violation should not diminish the significance of this violation. As stated before, document falsification cannot be excused in the nuclear industry. In fact, if this violation were to occur today, the NRC would consider issuing an order to remove the individual from licensed activities. However, the NRC recognizes that considerable time has passed since this violation occurred and that actions have been taken to correct the identified violation and to prevent recurrence. Our understanding of your corrective actions is described in Paragraph five of the enclosed inspection report. Nevertheless, despite the apparent good behavior of this individual since the time the violation occurred, you are required to

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respond to this letter. Specifically, you are to provide the NRC with your basis for concluding why you currently have confidence in the individual's activities, given the two previous instances of a willful violation.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter, the enclosed inspection report, and the OI:RIII investigation synopsis (Case No. 3-87-015) will be placed in the NRC Public Document Room.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

Carl Papperiello

A. Bert Davis
Regional Administrator

Enclosures:

- 1. Notice of Violation
- 2. Inspection Reports
No. 50-373/90009(DRP);
No. 50-374/90012(DRP)
- 3. NRC Office of Investigation
(OI:RIII) Investigation Report
Synopsis (Case No. 3-87-015)

cc w/enclosures:

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- T. Kovach, Nuclear
Licensing Manager
- G. J. Diederich, Station
Manager
- DCD/DCB (RIDS)
Licensing Fee Management Branch
- Resident Inspector, RIII
Richard Hubbard
- J. W. McCaffrey, Chief, Public
Utilities Division
- Patricia O'Brien, Governor's
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- R. Pulsifer, NRR LPM

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